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The Solicitors' Journal.

LONDON, JUNE 24, 1865.

THE LORD CHANCELLOR is already beginning to engage himself actively in arrangements for carrying out the Acts for the concentration of the courts of justice. The Government has advised her Majesty to issue a commission, mainly constituted as follows:—1. The Lord Chancellor and one or more of the equity judges, with three or more of the officers in chancery, to be from time to time selected by the Lord Chancellor. 2. The chief justices of each of the three common law courts, and one of the puisne judges, with one of the officers of each court, to be selected by the respective chiefs. 3. The judge of the Probate Court, and one of his officers. 4. The judge of the Court of Admiralty and one of his officers. 5. The Attorney-General, Solicitor-General, and Queen's Advocate. 6. One of the benchers of each of the Inns of Court. 7. The Chancellor of the Exchequer. 8. The Chief Commissioner of her Majesty's Board of Works and one person to be named by him. 9. Three solicitors, to be selected by the Incorporated Law Society. 10. A member of the Corporation of London.

With reference to this last gentleman, the Lord Chancellor, as will be seen in another column, has taken the somewhat extraordinary step of sending to the Corporation a sort of *congé d' elire*, not merely informing them that one of their members was to be placed in this commission, but suggesting (somewhat too broadly, as we think) the very person whom they were to select. We do not doubt that Mr. Alderman Lawrence was a very fit and proper person to be nominated on the part of the City, yet we regret that some one else was not, under the circumstances, selected by that body.

It may reasonably be feared that a commission consisting of nearly forty members will be rather too unwieldy to get over any considerable amount of work, but as it is proposed to hold the first meeting before the judges leave town for the circuits, no complaint can be made of any delay as yet. Very little work can be done by the commission as a body until after the vacation; but if some plan of operation, by means of sub-committees, can be arranged before the members part, a great portion of the details may be got ready beforehand, so that no delay need be interposed to the vigorous prosecution of the work when the professional men return to town.

AS A SIGN that the magistrates are being awakened to the importance of the Joint-Stock Companies Act as respects those companies' failing to comply with its provisions, we may refer our readers to the police reports of the 19th instant. At the Mansion House the directors of the Mediterranean Hotel Company were summoned before the Lord Mayor for unlawfully neglecting, for eleven consecutive days, to comply with the provisions of the Act with respect to forwarding a list of members of the company, and a summary of particulars required by the statute, to the registrar of joint-stock companies. The case being proved, the Lord Mayor fined the defendants in the mitigated penalty of £2 a day for eleven days default, or £22 in all, and in exercise of the power given to him by the 66th section of the Act, he awarded £10 10s. to the complainant towards the costs she had incurred in the matter. In referring to the subject of the registration of joint-stock companies on a former occasion,* it was suggested that the exercise of this power, given to the magistrate by the 66th section, might be of service to the public by giving individuals an interest in forcing directors to do their duty, and seeing that this is one of the few ways in which they can be touched, it is to be hoped that undue leniency in such matters will cease to be the rule.

MR. TIDD PRATT has a very troublesome family of children in the 20,000 friendly societies now existing in this country, what with their failures, their irregularities, and their mismanagement, he must have nearly enough to do to keep anything like a proportion of them in a going condition. A few days ago a remarkable case, in connection with the St. Patrick's United Assurance Sick and Burial Society, came before the Court of Queen's Bench for decision. The members of this society are about 150,000 in number, and, according to the rules, the business of the society is to carried on at 106, Duke-street, Liverpool. The application was for a *mandamus* to Mr. Tidd Pratt to compel him to certify some new rules on the ground that his objection to do so was untenable. The point was as to the power of the society to alter its place of meeting, and the grounds of the Registrar's objection were contained in the following two rules:—"92. That no new rule shall be made, nor any rule altered, unless with the consent of a majority of the members present at a general meeting of the society specially called for that purpose. 93. That in case of any alteration of the place of meeting, or dissolution of the society, written notice thereof shall be sent to the Registrar of Friendly Societies in England within fourteen days after such removal, signed by two of the trustees, or by the secretary or principal officer, and three of the members of the society."

A meeting had been summoned at Manchester, and had there carried an alteration of the rules, and this alteration Mr. Tidd Pratt refused to certify.

On the one side it was shown that the meeting had been packed, and counsel urged that it had been improperly convened, while, in support of the application, it was contended that the functions of the Registrar were limited to certifying as to the legality of the rules on the face of them, and did not extend to objections to the place of meeting at which they were framed.

The judges refused to compel the Registrar to certify the rules. The present rules fixed the place of meeting, the society made the rules and must make the change in the place of meeting, and, therefore, any alteration not made at a meeting duly convened at the usual place of meeting was illegal, and the Registrar could not be compelled to certify its legality.

Probably this kind of irregularity is not likely to occur frequently, because very few of these societies have so large a number of members and so many branches as has the St. Patrick's United; but we may take it for granted that this is a fair specimen of the every-day conduct of those who have the management of friendly societies. It is understood that serious charges have been brought against the secretary and some or one of the trustees of the St. Patrick, and it was alleged that the place of meetlng was changed in order that the rules might be altered by persons ignorant of these charges. We see, then, the bad uses such irregularities may be applied to, and how necessary is the power given to Mr. Tidd Pratt for the prevention of mismanagement and fraud.

THE FOLLOWING LETTER, which has appeared in the *Daily News*,† contains, in a somewhat distorted form, a most valuable suggestion. Allowance must, however, be made for personal feeling in the manner in which it is expressed:—

THE LAW OF DIVORCE.

Sir,—I am a nobody, and nobodies, I am aware, have little chance of finding champions in anybody; still, as

* 9 Sol. Jour. 363. † June 22, 1865.

my case may be the case of thousands, you will perhaps not object to listen to it; and, should it seem to you worthy of attention, to exert your powerful pen in endeavouring to remedy what I consider a grave injustice.

The law of divorce, as it at present stands, empowers a wife to file a petition, and after filing, to obtain, *pendente lite*, alimony from the husband, as well as payment of all her costs, in addition to such security for further payment to meet the trial, as her lawyer, under supervision of a registrar, may think fit to impose, or, in default, imprisonment for contempt of Court. Now, sir, this seems, taken in one sense, very just; a wife's property is supposed to centre in her husband, and she might be debarred justice were the rule not imposed; but on the other hand a wife, without any just cause whatever, and simply in wanton spite, may plunge a needy husband and children, dependent upon him for support, in debt and ultimate ruin by the uncontrolled exercise of this privilege. Lawyers, aware that there is no impediments to their gains, terminate the case how they may, rarely, if ever, trouble themselves to divine if there be good grounds for a petition, and as a matter of course urge the wife on, who (herself incurring no legal risks) is very willing to go on. Of ultimate consequences to the children the law seems to have thought nothing.

A very simple alteration in the law would, I think, meet the difficulty, viz., a clause to the effect that where the petitioner is a woman, her lawyer shall himself find security for a restoration of all costs should his client's case break down. Restraints on legal cupidity would be the best of all law reforms, but till men, not lawyers, make a stringent law for lawyers, the world will be rife with dissension and misery.—I am, &c.,

ONE DOWN FOR DIVORCE, AND A LONG TIME PENDING.

We have long felt, and more than once said, that the existing rule of the Court of Divorce is calculated to operate as an engine of great oppression and extortion on the part of misguided wives and their advisers, and we have advocated a proposition, said to have been first mooted by the present Attorney-General, though that learned functionary has been ominously silent on the question since his advancement, that in all cases where the wife is petitioner, she should be obliged to sue by a next friend, who should be responsible for costs in the same manner, and to the same extent, and subject to the same rules as to giving security for costs or otherwise, as now prevail with respect to next friends of married women in suits in equity. This would ensure, on the one hand, that, whenever the ends of justice required it, the suit could be proceeded with, and if the case was a good one the next friend would run no risk, and even in a fair case which failed, the Court would be unwilling to decree costs against the next friend; while on the other hand, husbands would be protected from merely vexatious or wanton attacks, and still more from a nuisance of which some specimens are to be found, though not, perhaps, so numerous as is sometimes supposed, "Attorneys' Actions."

IT IS SOMETIMES INSTRUCTIVE, though it can hardly be called surprising, to watch the effect which a personal interest has in distorting our view of the very simplest matters, so that we seem actually incompetent, with the very best intentions, to state fairly a point in relation to which we feel keenly. The following letter, which has lately appeared in the *Standard*, will furnish a hasty illustration of the phenomenon in question:—

Sir,—A judgment has recently been pronounced by the Court of Appeal of the republic and canton of Neufchatel, which, as it is in opposition to the generally received notion of the common law of Europe on bills of exchange, is of great importance to your commercial readers. The particulars are as follows:—A London banker, at the time of the stoppage of a certain Swiss house, held two of their drafts upon a foreign firm established here. The latter were unable to meet their acceptances, which were consequently sent back to Switzerland for presentation to the drawer in due form. The bills, of course, were not taken up. It then appeared that a meeting of the Swiss creditors of the firm by whom the bills were drawn had been held some time previously, and that it had been decided that no claim should be allowed to rank on the estate unless filed by a certain date, which date happened to be before the bills then running had matured. The London creditor appealed to the Chief Court against this decision, which excluded him from all claim on the estate; and will it be believed that the solemn judgment of the highest Court has been given against him!

For your satisfaction I enclose a copy of the judgment.

BANK MANAGER.

[Copy.]

"République et Canton de Neuchatel—Cour d'Appel.

"La Cour d'Appel de la République et Canton de Neuchatel, sur la demande en relief de la Banque ——, et l'opposition faite à cette demande au nom des syndics à la masse en faillite de M——, à la Chaux-de-Fonds, a rendu ce jour, 2 Mai, 1865, le jugement dont la teneur suit:

"Vu la requête du citoyen Paul Jeanneret, avocat à la Chaux-de-Fonds,

"Agissant au nom de la Banque ——,

"Exposant que cet établissement est deténteur de deux lettres de change, émises par M——, sur Londres, acceptées par A—— et Cie. de cette ville, l'une de—

£178 5s. à l'échéance du 31 Mars au 3 Avril, l'autre de
£195 17s. " " 5 au 8 Avril;

"Que M—— a été déclaré en faillite le 17 Fevrier dernier, et la clôture des inscriptions a eu lieu le 28 Mars. La Banque ——, de Londres ayant ces deux effets en cours, et n'ayant reçu aucun avis quelconque, a écrit le 20 Mars, à M—— que A—— et Cie. avaient suspendu leurs payements et qu'il devait leur faire de nouvelles remises. Le 23 Mars, le citoyen Schwol. Levy, l'un des syndics, a écrit à la Banque que M—— était en faillite et qu'il fallait faire inscrire ces titres avant le 28 Mars. 9 heures du matin;

"Que cette lettre ne parvint à Londres que le 27, et le jour même les ordres partirent de Londres pour arriver à la Chaux-de-Fonds le 29; l'inscription fut faite immediatement, soit de lendemain 30 Mars;

"Qu'à la réunion des créanciers du 7 Avril il a été soulevé une opposition à la demande que la Banque a faite d'être admise comme etant intervenue avant la clôture des inscriptions;

"Que c'est à raison de cette opposition que l'exposant au nom qu'il agit, se pourvoit en relief et demande d'être relevé de l'informalité commise;

"Vu l'arrêt rendu le 10 Avril, 1865, par le Président de la Cour d'Appel, qui admet la Banque instante à formuler ce relief;

"Entendu le représentant de la partie demanderesse en ses conclusions verbales, et le répresentant des syndics à la masse de M——, en ses moyens d'opposition,

"La Cour d'Appel,

"Considerant que, dans l'espéce, la faillite de M—— à été regulièrement publiée dans la feuille officielle de l'etat;

"Que les delais fixes par la loi pour l'intervention des créanciers à la faillite ont été observés,

"Que la partie demanderesse ne justifie pas de l'existence, en sa faveur, de faits que le juge puisse accueillir comme constituant un moyen de relief, et qu'entre autres elle n'etablit point que son intervention, en temps utile, pour faire inscrire ses titres à la faillite, ait été entravée par des circonstances ayant le caractére de la force majeure:

"Par ces motifs,

"Refuse le relief demandé et condamne la partie demanderesse aux frais liquidés.

"Neuchatel, les jour, mois, et an que dessus.

"(Signé) Le Président, D. DARDEL.
"(Signé) Le Greffier, U. DEBELY."

Now the grievance, as stated by the bank manager, is that the London Bank were excluded from proof because they had not proved on the bills before they were due, which, unless some provision were made for anticipatory proof, as in England, would unquestionably be a great hardship; whereas the judgment merely decides that a creditor, who has no special excuse to offer for not proving on or before the day named by advertisement, will be excluded from proof if he let that day pass, which, as an abstract proposition, is no hardship at all, at least, unless it be shown, which was certainly not the case in the instance brought forward, that the interval allowed for the purpose was clearly insufficient The "grievance" of the London Bank seems merely to have

been that a Swiss bankruptcy was not advertized in the *Times*, a cause of sorrow to the bankers, perhaps, but scarcely "in opposition to the Common Law of Europe on bills of exchange," with which, indeed, it has little to do, being a mere question of bankruptcy procedure, very analogous to the proceedings in the Court of Chancery under administration decrees.

THE INDEFATIGABLE THERESA LONGWORTH, or Yelverton, has brought another action! She stills prefers *justitiæ rivos* as they are to be found north of the Tweed. This time the defender is her successful rival, the Hon. Mrs. Yelverton (late Forbes), and the proceedings are founded on a letter written by the defender, alleged to contain defamatory expressions. The pursuer attempted to found jurisdiction in the Scotch courts by arrestment of books and papers in the hands of Messrs. M'Lachlan & Stewart, booksellers, Edinburgh, understood to be the property of the late Professor Forbes, and alleged to belong to the defender, as residuary legatee. The Lord Ordinary has decided that the pursuer has failed to prove her allegations as to the property of the articles arrested. The *onus* lay on the pursuer to prove that they belonged to the defender; and, although in order to found jurisdiction in Scotland the value of the property arrested need not be great, the fact that it is truly the defender's property must be placed beyond reasonable doubt. The action is therefore "repelled."

It will be seen elsewhere in our columns that in her action against the *Saturday Review* she has, so far, succeeded on the preliminary question.

THERE APPEARS NOW to be every probability that the new Palace of Justice will be commenced as soon as the ground can be cleared. The House of Lords has agreed to the alterations the Commons have made in the amendments inserted by the former in the two bills, and both bills received the Royal assent on the 19th instant. On the same day the vote of £200,000, the proportion of the total sum of £703,000 required for this year, for the purchase of lands and houses, was agreed to.

A corrected estimate since issued, however, shows that the whole sum of £700,000 is required to be voted for the service of the current year, not £200,000, as supposed.

THE HON. RICHARD BETHELL, who has been recently, for the third time, proclaimed "an outlaw," was arrested by one of the sheriff's officers for Berks, while enjoying the sport on the Ascot racecourse on the 16th instant. The hon. gentleman was taken on a writ issued at the suit of a London creditor, and was soon afterwards conveyed to Reading, and lodged in the county house of correction.

THE HON. MR. JUSTICE HAGARTY, of Toronto, Canada, is at present in Ireland.

WE CONTINUE OUR NOTICES of professional candidates for seats in next Parliament.

On Friday, the 16th inst., a meeting was held at the Corn Exchange, Ipswich, for the purpose of introducing to the electors of that borough Mr. Wyndham West, recorder of Manchester, in conjunction with Mr. H. E. Adair.

The Solicitor-General has issued his address to the electors of Plymouth.

There is no sign of any intention to bring forward any opponent to Mr. Coleridge, Q.C., for Exeter.

Mr. Serjeant Gaselee is actively pursuing his canvass in Portsmouth.

It appears that the chance, which lately seemed probable, that Mr. Bovill, Q.C., would have a walk over at Guildford, has disappeared. It is now highly probable that the seats will be contested by two liberals and two conservatives.

Mr. Charles R. Barry, Q.C. (Law Adviser to the Castle), has visited Dungarvan, and addressed the electors. The death of the only other candidate, Mr. E. Johnstone, leaves the learned gentleman a clear stage, for the present at least.

At Kilkenny the candidature of Mr. O'Donnell, Q.C., is opposed by Sir John Gray. The sitting member retires.

Mr. Beamish retires from Cork city, which leaves the field as yet undisputed to Mr. N. D. Murphy and Mr. J. F. Maguire.

The Right Hon. More O'Ferrall retires from the county Kildare. Mr. Cogan again offers himself.

Mr. Pope Hennessy has issued his address, seeking re-election for the King's County.

There is likely to be a contest in Bedford; a requisition has been sent to Mr. Montague Chambers, Q.C. Should that gentleman stand, it is probable that a fourth candidate will be brought forward.

In the City of Armagh Mr. Bond has retired in deference to the wish of the majority of the electors, and left the contest to be decided between Mr. S. Ball Miller, Q.C., and Mr. Kirk.

Mr. Campbell Sleigh, who, on a former occasion, was a candidate for Lambeth, has issued an address to the electors, stating that he does not intend to come forward on the present occasion. His reasons are, that since he appeared before them he has changed his mind on some important questions, and is no longer in favour of a great extension of the suffrage nor of the ballot.

THE VACANT READERSHIP (Constitutional Law and Legal History) to the Inns of Court, has been filled by the appointment thereto of Thomas Collett Sandars, Esq., of Lincoln's-inn, editor of the "Institutes of Justinian." Mr. Sandars was called to the bar in Michaelmas Term, 1851. He is well known as a popular and eloquent lecturer.

THE UNCERTAINTY OF HUMAN LIFE was strikingly exemplified on this day week in the sudden death of Mr. Edward Johnstone, of the Leinster Circuit, who died suddenly of apoplexy at his residence in this city. A few days ago he addressed the electors of Dungarvan as a candidate for the representation of that borough. On the day previous to his death he was at the courts apparently in his usual health, and expressed himself on that occasion sanguine of success at the approaching election. Mr. Johnstone was much respected by his brethren at the Bar; he was the author of some useful books of practice, and had recently edited a new edition of Copinger on County Courts.

OUR READERS will learn with regret the sudden death of Mr. G. Wingrove Cooke, Copyhold Commissioner, the last edition of whose book on the Copyhold and Inclosure Acts were recently noticed in this Journal.*

Mr. Cooke was called to the Bar in 1835 by the Hon. Society of the Middle Temple, and soon achieved for himself an enviable position in the profession by several able treatises, as well as some well-considered tracts upon different branches of law reform. Of the former perhaps the best known are his compendium of "The Law of Defamation: a Treatise on the Law of Rights of Commons and Enclosures;" another on the "Law of Copyhold Enfranchisement," and an important work on "The Law of Agricultural Tenancies and Leases." He was for some time largely employed, under the Tithe Commutation Commission, to decide cases of special difficulty in various parts of the country, and also in adjusting disputes relative to moduses and claims to exemption, during the long period that all tithes throughout the kingdom were undergoing the process of extinction. His labour at this time was very great, as for many consecutive years he frequently held eight or ten important meetings a week, often at distant places. In 1857 he accepted an engagement as *Times* correspondent in China, where he remained for upwards of a twelvemonth, having, during that period, penetrated further than any former European into the interior of

* 8 Sol. Jour. 621.

that land. In 1862 a commissionership in the Copyhold and Enclosure Office, in the gift of the Home Secretary, was offered to Mr. Cooke, entirely without solicitation on his part. A better selection could scarcely have been made, though we are not in a position to state that his unsuccessful candidature for Marylebone in the previous year had nothing to say to the selection.

Mr. Cooke had apparently been only slightly indisposed for a couple of days, and until yesterday week had attended to his usual duties, as commissioner, at the Copyhold and Enclosure Office in St. James's-square. On Saturday morning, as he felt somewhat indisposed, he remained at home. He slept soundly that night, and rose on Sunday at his usual hour, feeling himself, as he said, considerably easier and altogether better. A few moments afterwards, however, his dressing-room bell was violently rung, and the servants, on answering it, found that Mr. Cooke had burst one of the large arteries in the neighbourhood of the heart, and was already beyond reach of aid.

Thus has passed away, in his 53rd year, one endeared to all who knew him, and conspicuous for an unswerving determination to discharge fully the varied duties that devolved upon him in the several relations of life.

THE INNS OF COURT BILL.

[COMMUNICATED.*]

Sir George Bowyer's measure for enabling the benchers of the Inns of Court to appoint judicial committees in certain cases, and for giving the necessary powers to such committees, has reached an advanced stage. The principal ground on which the Attorney-General abstained from opposing the second reading in the Commons was scarcely fair to the societies intended to be enabled. Referring to the inquiry which took place by the Commission of 1854, as to the best mode of placing the benchers upon a more efficient footing in relation to the bar and the administration of justice, he expressed his regret that the Inns of Court themselves had not taken a clear and decided course on the subject of their jurisdiction, and thereby assisted the House in coming to a definite conclusion upon it. It would be more satisfactory, he said, to legislate with the concurrence of those learned bodies, but that it was not the fault of the Government or of the promoters of the Inns of Court Bill if they had not this advantage. Why the fault should rest with the learned bodies is not clear. To expect the Inns of Court to move, when the Commissioners themselves, in the whole of their twenty-one recommendations respecting the education and discipline of the bar, urged no change in the matters dealt with by the bill, is not only unfair but unreasonable.

The twenty-first of the recommendations was simply that the Inns of Court should retain their present powers with reference to the calling of students and the disbarring of persons after their call, subject to the appeal to the judges. In the body of their report, it is true, the commissioners went somewhat further. They were of opinion that the powers of the societies to exclude from admission to the bar persons against whom any grave delinquency could be alleged, and to disbar or visit with other severe penalties, after due inquiry, persons deserving such reprobation, had been generally sufficient to prevent any injurious effect to the community with respect to moral impropriety or misconduct in barristers. But, in favour of the persons subject to the exercise of the societies' powers, the commissioners threw out, suggestively, that it might be well worthy of consideration whether greater powers should not be given to the Inns for conducting their inquiries, when proceeding to determine judicially on admission to the bar or on disbarring. Great hardship, they thought, might arise to the party whose conduct was in question for want of any power to compel the attendance of witnesses and production of documents.

If, since the report, the benchers have not come forward to Parliament, and asked for greater powers, it may be presumed that they have duly considered the matter and have found reason, on a balance of advantages and disadvantages, to prefer remaining what they have always been, a purely domestic *forum*. They may be of opinion that the disbarring or suspension of a delinquent barrister is a matter internal to the society which called him to the bar, and that the right to expel such a man from his inn flows logically from the right to admit him a member. The benchers, perhaps wisely, see objections to the doors of their domestic tribunal being broken open by any Parliamentary engine. The operation is likely to let in a great deal besides evidence in favour of an accused. The public may thus become interposed between the societies and their members. The bar has hitherto been regarded as a body of gentlemen co-operating with the judges of the superior courts of law and equity in the administration of justice, and amenable only to the benchers and to the body itself through the action of the Attorney-General, for any breach of the honourable relation subsisting between counsel and client, or for any misconduct dangerous to that honourable relation. Give the benchers the proposed powers, the result may not unnaturally be expected that the bar will be looked on as a body of paid lawyers, whose characters are primarily matter of public cognizance.

The procedure in the jurisdiction at present exercised by the benchers of an inn of court over its members is not unlike that in a court of inquiry in the army.* The duties of such a court are not strictly defined. They depend on the instructions which the authority convening the court may think proper to give. It has no power to administer an oath, nor is there any process by which to compel the attendance of witnesses not military. And even the controlling power to compel the attendance of military witnesses arises from the order of a superior officer, and not from any authority which a court of inquiry may be supposed to possess. An accused officer, although bound to appear, may decline to take any part in the proceedings, or to answer any questions. He has no right to insist on the attendance of counsel, and the presence of a professional adviser is not usual. So far there is some precedent for the procedure usual when benchers hold their court. The jurisdiction at Lincoln's-inn or the Temple no doubt reaches much beyond that of a military court of inquiry. For that Court is rather a council than a court, as it has no judicial power. The question is, whether the benchers court shall continue to be a *forum* internal to the inn and the judges of the superior courts in their relation to the inn, or shall, on account of its judicial power, become, through this bill, a court legal analogous to a court martial. But, rightly to understand the terms of the question, it must be borne in mind that the power of the Benchers Court is judicial only within the limits of the society itself. It has no compulsory effect even on the judges. They are not bound to recognize the sentence of the benchers. They do so because they identify themselves in the matter with the governing bodies of the inns. Therefore, although a judgment of disbarring or suspension is classed by the Attorney-General and some of the advocates of the bill with the penal sentences of the ordinary Courts, it is both in itself and in its consequences, essentially a part of the self-government of the inn societies.

The suggestion of the commissioners is proposed to be carried out by giving to judicial committees, elected by the benchers from their own bodies, all the powers of compelling the attendance of witnesses, and the production of parties and papers and documents, and of punishing for contempts, and all other the powers which belong to the Court of Chancery or of the Queen's Bench, and also the power of administering an oath or affirmation,

* We insert this article because it expresses the views of a not inconsiderable body at the bar, though not, we think, the general sense of the profession; but we do not wish it to be taken as binding the future action of this Journal on the subject.—ED. *S. J.*

* We have elsewhere in these columns (*ante*, p. 724) given our reasons for objecting to all such courts.—ED. *S. J.*

as the case may be, to any witness or party appearing before them. Any person guilty of contempt of a judicial committee, will, upon a certificate thereof, signed by the president or chairman, be punishable by the Court of Queen's Bench, and be otherwise dealt with in the same manner as if he had been guilty of contempt of that Court. How the House of Commons could have allowed any single stage beyond the first to be passed by a clause enabling one Court, without a hearing, to imprison the Queen's subjects on the certificate by another Court of an offence to its dignity, passes comprehension. But leaving the subjects to take care of themselves, let us think of the revolution which may be brought about in their moral estimate of the bar. No private exercise of the powers to be thus conferred will ever be tolerated by the people. So long as the compulsory powers of the benchers affect the bar only, the people do not claim admission to the council chambers of the Inns. But if judicial committees of the benchers are to be invested with authority to send up *lettres de cachet* to the Queen's Bench, the people will, in self-protection, insist on being present by themselves or their newspaper reporters at the committees' proceedings. It is idle for the bill to say that the judicial committees, and the judges hearing any appeal therefrom, shall sit in open court if the person charged shall require the same. The person charged will become a secondary individual when committal for contempt is an attribute of the new jurisdiction. Little heed is now paid to the bill by the public because it thinks that the barristers only are concerned. But let one of the public be sent to prison on a benchers' certificate, and a judicial committee will never sit again with closed doors, if it ever sit again at all.

An attempt to make the occasions for calling into action the statutory jurisdiction of these judicial committees suitable to the stringency of the statutory powers to be exercised by them was made, on the re-committal of the bill, by the introduction of the words "whenever any charge of fraud or deceit, committed by any barrister in the exercise of his profession, or of his having been convicted of any felony or misdemeanour shall be made against such barrister."* Some speciality in the offence is thus obtained, but still there is the general provision that where the benchers of any Inn deem it necessary to inquire into the conduct of any barrister or other member, they may elect from their own body a judicial committee, which shall have power of disbarring, expulsion from the Inn, suspension from practice, or passing any other sentence which the benchers might have passed. The effect of the bill, therefore, would be that on all the occasions where at present there should be an inquiry within the bosom of the bar, there would be a public court held for a discussion of offences, as well on matters of etiquette as on charges of fraud, deceit, or criminal disqualification. The last instance of a sentence of disbarring pronounced by Lincoln's Inn, on the charge of one of their benchers, the county court judge of the Staffordshire district, was for an obstinate breach of etiquette. The bill, in fact, provides that no barrister shall be disbarred or suspended from practice, and no barrister or other member of any Inn shall be expelled from such Inn except by decision of a judicial committee elected under the provisions of the intended Act.

The efficient defence of an accused barrister, by means of the compulsory powers of this bill, will be dearly purchased if, in strengthening the tribunal in a legal sense, it be weakened in a moral sense. We have not treated the powers in their offensive character, because the countenance given by the Government to the bill, without which it would be waste paper, is referred, as we have mentioned, to the report of the commissioners, and because the benchers have not asked for any increase of power. One instance, since the date of the report, has certainly occurred where, for want of the powers of an ordinary court of justice, a benchers' Court was deprived of the use of a document material to an inquiry which was then being held into the conduct of a barrister in connection with a public company. But the circumstances were exceptional. As a general rule it is not desirable that the benchers should proceed against a barrister unless they are furnished with full and trustworthy evidence. Strictly legal and complete evidence ought not to be necessary to put a gentleman to his defence before a society of which he has voluntarily become a member in virtue of his social position. Nor, on his part, should a full and strictly legal defence be requisite. It is better, for the honour of the bar, and, therefore, more conducive to the public interest, that a body of the same class as the accused should, according to its own sense of the merits of the case presented as they best may be, through any fair means attainable by a domestic *forum*, pronounce its judgment. There is always an appeal to the judges, which will be an adequate protection to an injured barrister or member of an inn of court. The remarkable thing is that while the domestic character of the present bar tribunal, as exemplified in the inquiry above referred to, has been a moving cause of the bill, the person then implicated did not think fit to avail himself of his right of appeal beyond the benchers' chamber.

* A "substituted" print of the bill as amended on recommitment has since been issued omitting these words, but notice has been given to move their insertion on a further commitment of the bill.

ATTORNEYS' CERTIFICATE TAX.

(From the *Dublin Evening Mail.*)

If it was a foolish idea that the attorneys of the country could be retained for the sitting at the general election by the bribe of £6 a head exemption from tax, it is not foolish to say that Mr. Gladstone had it in his power to injure his Government at the elections by casting a slur upon that profession. And this is what he did. He saw no difference between their position and that of hawkers and pawnbrokers:—"Why should the auctioneer pay an annual duty of £10, and the attorney be relieved from an annual duty of £9 or £6? Is there anything in the trade of an auctioneer that ought to be discouraged by this House? Why should the trade of a pawnbroker be taxed? We levy from him a sum of £30,000 a-year. Who is he? He is the man who ministers to the first necessities in the matter of money of the lowest class of the population. Well, is that tax to remain, and shall we be doing an act of justice if we relieve a profession every member of which has access, and some very intimate access, to the members of this House, and select them in preference to those who have a stronger and more urgent claim? Take the case of a hawker. We lay a tax of £48,000 upon hawkers. The whole of this sum comes from a trade which is pursued in minute details by men hardly one of whom is worth £100 of capital in the world, and who drive their trade in the villages and among the peasantry of the country."

If there is a difference in Mr. Gladstone's mind between a professional diploma and a hawker's license, it is that the latter is the means of conferring greater benefit upon society. Among pawnbrokers there are men as respectable as in any other trade, but the pawnbroker, in his eyes, assumes something more than the character of a good Samaritan, and the hawker is an object of special admiration for benevolence in minute details. For the profession of attorney a five years' education is required, the examinations are stringent, and the course of special and general studies is large. On the taking out of articles a considerable sum is paid, and a further sum when the candidate is admitted. This long preparation, and these pecuniary guarantees are proper and necessary; and when the name is placed upon the roll, there is probably no profession over which a more stringent control can be exercised. Under these circumstances, it was a subject particularly worthy of the consideration of Parliament whether the young solicitor, doing a small business at first, should be still further taxed in the very same sum which is claimed from men making thousands per annum.

At the Sheriffs' Court, Red Lion-square, on the 24th, a compensation of £18,000 was allowed for thirteen houses in Ely-place, required for the new street from the corner of Hatton-garden to Farringdon-station.

COMMON LAW.

RAILWAY COMPANY—NEGLIGENCE.

Wyatt v. *Great Western Railway Company*, Q. B., 13 W. R. 837.

Whatever complaints railway companies may make of the verdicts of juries in actions brought against them for accidents occurring to persons whom they carry, or for losses sustained by the execution of their works, they have certainly no reason to be dissatisfied with the judicial decisions which have from time to time been delivered on those, and on kindred subjects. If juries are their enemies, judges seem their friends, and many a verdict easily won at *Nisi Prius* or the assizes, is afterwards rendered fruitless by the ruling of the Courts at Westminster. It is only the other day that the Exchequer Chamber decided in *Ricket* v. *The Metropolitan Railway Company*, 13 W. R. 455, a case on which we have recently commented (*ante* p. 409), that loss of trade directly occasioned by railway works is no ground for compensation under the Companies Clauses Consolidation Act, 1845, s. 68, unless the land of the plaintiff is actually taken for the purposes of the company. And in the principal case the Great Western Railway Company have been exonerated from liability for an accident which happened to the plaintiff under the circumstances we are about to set forth, upon what we cannot help considering to be insufficient grounds.

The plaintiff, it appeared from the declaration, was travelling by night with a horse and carriage along a highway leading from the Worcester and Oxford turnpike road to Elrington, and which is crossed on a level by the defendants' railway. The Railway Clauses Consolidation Act, 1845, s. 47, enacts that if a railway cross a turnpike or public carriage road on a level, the company shall erect sufficient gates across such road, on each side of the railway, and shall employ proper persons to open and shut such gates. The gates are to be kept closed except when carriages, &c., are passing through, and as soon as such carriages, &c., have passed, the person intrusted with the care of them "shall cause the same to be closed under a penalty of forty shillings." On arriving at the gates erected at the crossing, in pursuance of this Act, the plaintiff found them shut. So far all was well. But he found no one in attendance to open them, and after waiting a reasonable time and using every reasonable means to procure the attendance of a gatekeeper, and being anxious to proceed on his journey, he opened them himself, and passed through them. In so doing, however, but, as was alleged, without any negligence on his part, he was injured by one of the gates falling to, and for that injury he brought an action of negligence against the company.

The defendants, upon demurrer to the declaration, contended that the action would not lie. The plaintiff, they said, was a trespasser. He had no right to open the gates. He was bound to wait for the arrival of one of the company's servants, and if delayed for an unreasonable time he might have a remedy for the inconvenience he had been obliged to submit to. He had chosen, however, to take upon himself a duty conferred by statute absolutely on the defendants, and the consequences were upon his own head. In answer to this argument, it was urged that such a construction of the Act as that suggested was wholly inconsistent with public convenience. The plaintiff waited, it was expressly averred, a "reasonable time," and, having done so, he had a right to open the gates and pursue his journey. The defendants' statutory power was not absolute. It was given conditionally on the performance of their duty. They were bound to "employ proper persons to open and shut such gates," and in the absence of these, the public privilege of free use of the highway revived in its entirety. This view was supported by a reference to *Reg.* v. *Scott*, 3 Q. B. 543, where an indictment was sustained against a company for creating a nuisance upon a highway, although they were authorized to do so, upon constructing another highway as convenient. In that case, as in this, they had a power, not absolute, but qualified, to create a nuisance.

The Court of Queen's Bench, with the exception of Blackburn, J., to whose judgment we shall presently refer, were of opinion that there was no cause of action. They considered that the provision of the Act, imposing upon the Company the duty of erecting gates and of keeping them closed, amounted to a virtual prohibition to open them under any circumstances whatever. "I go even further," said the Chief Justice, "and say that the terms of the Act require the gates to be kept so secured that no one *can* open them without breaking them; and it is plain that the rule, that where there is an obstruction to the highway it may be broken down, does not apply to an obstruction set up by a statutory direction." Without disputing this very elementary proposition, we may observe that it does little towards solving the difficulties in the principal case. There the real question was as to the meaning of the statutory direction, and whether or not actual force might be required to open the gates seems to us immaterial. If the Act was meant to confer an unqualified right on the company to obstruct the highway, the plaintiff would have been equally in the wrong, whether he only lifted a latch or tore the gates off their hinges.

The two judges (Crompton and Shee, J.J.) who concurred with the Chief Justice in his construction of the Act of Parliament, based their judgment also upon the remoteness of the damage sustained. As an illustration of the difficulty of discovering that most vague of all vague things, "the intention of the Legislature," the different views of the object of the enactment under consideration, taken by different members of the Court, is worth notice. According to Crompton, J., the object aimed at was "to prevent trains from being caught by things crossing the line and coming in their way." According to Shee, J., it was "to protect the Queen's subjects crossing the railway at a level crossing." "It is necessary," he says, "for the protection of the public that, except when the gates are opened by persons employed by the company and bound to know when it is safe to cross, no one should attempt it, and, therefore, the Legislature has imposed the duty of obstructing the highway." The latter appears to be the most reasonable construction of the legislative purpose. In a contest between a train and the "things" which happened to be crossing the line, the "things" would be likely to come off as badly as George Stephenson's cow. But the Act, in fact, is for the benefit both of the persons crossing the line and of the travellers in the train.

We proceed to refer briefly to Mr. Justice Blackburn's view of the principal case, which we are disposed to think was the correct one. In spite of the provision in the Act, he said the highway was a highway still. The company were bound to keep servants to open and shut the gates, but if they failed to do so, then a passing traveller might open them, having, of course, due regard to the traffic on the line and his own safety. "Supposing he does take this care, but is nevertheless injured in crossing, I do not see why he should not recover." The case of *Clayards* v. *Dethick*, 12 Q. B. 439, supports the opinion of the learned judge. There the defendants had left a trench open and unfenced in the passage to a mews, and the plaintiff's horse was in consequence injured by falling over rubbish heaped up by the side of the trench. "The defendants," said Patteson, J., "clearly had no right to leave a trench open without a proper fence, and, having done so, to tell the plaintiff, 'You shall keep your horse in the stable till we inform you that you may remove him.'" So, in the principal case, the company had no right to say to the plaintiff, "You must stand at our gates at any time, however unreasonable." Then again it can hardly be maintained that the damage was too remote. If there were no contributory negligence, which would be a question of fact for the jury, the accident

occurred directly in consequence of the defendant's default. If it turned out that the plaintiff acted with ordinary caution, then, in the opinion of Mr. Justice Blackburn, he would be entitled to recover against the company for their neglect of the statutory duty imposed upon them.

The decision is one of considerable importance. Scarcely a day passes without a person passing a level crossing on some railway or other, alone and unattended, especially if he be acquainted with the times of the trains of the district. In future he will cross at his own risk. He will have to choose between the chance of meeting with an accident, for which he will obtain no compensation, and waiting the convenience of the company's servants. It is true that he will have an action if he is kept waiting for an "unreasonable" time; but the difficulty in such a case will be to establish what is "unreasonableness." The observation of Sir George Honyman upon this point, in the principal case, is well founded and confirmed by experience, "The remedy proposed is wholly inadequate, as no really sufficient damages could be recovered in the action suggested."

REVIEWS.

A Treatise on Costs in Chancery. By GEORGE OSBORNE MORGAN and HORACE DAVEY, Esqs., Barristers-at-Law. *With an Appendix containing Forms and Precedents of Bills of Costs.* London: Stevens & Sons. 1865.

The Law of Costs, especially as administered in Courts of Equity. By JOHN ADAIR, Esq., Barrister-at-Law. Dublin: Edward Ponsonby. 1865.

The two works above mentioned appeared almost simultaneously, for the purpose, as the authors of both have stated in their respective prefaces, of supplying the place amongst modern legal treatises which has been vacant since the last edition of "Beames on Costs" appeared in 1840. Both books, though widely different in many respects, will be hailed as valuable accessions to his library by every practitioner in equity.

Who is there who has not felt the need of such a work? "Entering litigation," says Mr. Adair,* "one of the first questions is, who will be entitled to costs? What security is there that the costs will be repaid? and the enforcing payment of these costs is one of the last parts of a proceeding." Often, indeed, the questions arising on the disposal of the costs are of infinitely more importance to the parties than all the other questions in the suit, and occasionally, though not perhaps frequently, this is the sole point requiring adjudication. And yet, in advising as to this, the practitioner could seldom, except in the very plainest cases, rely on any safe guide to his judgment, partly from the nature of the question itself, but even more from the want of any text-book of authority on the subject.

The nature of the question interposed a serious difficulty, because, though it probably never happens that a contested suit is brought to a close without having given rise to some decision on the question of costs, such decision or decisions is or are generally given incidentally, and are ordinarily noticed in the marginal notes, and discoverable only upon close examination of the reports themselves, the points for which the cases are reported being in general wholly different. Hence it follows that while there is scarcely any case which may not be, in some respect, an authority on a question of costs, there are comparatively few which are known and recognized as "leading cases on costs;" which afford a landmark on any debateable point of this kind. "The question of costs," say Messrs. Morgan and Davey, "is, in most cases, left till the principal points in the case are decided, and is then disposed of—often without argument, and sometimes without reference to any general principles." And one immediate consequence of this state of things is that while every text-book, whatever may be the nature of its special subject, is sure to contain notices of a host of decisions on costs, incidental to such subject, these decisions will be nowhere found arranged or digested according to their relation to the general subject of costs, but scattered very much at haphazard, according to the particular questions to the determination whereof they happened to be incidental.

And the difficulty thereby created was obviously greatly increased by the want of any systematic treatise which should take up these scattered threads and weave them into one harmonious web, thus assisting not merely in the discovery of the points actually closed by decision, but displaying their correlation to one another, and to the questions which are yet debateable ground.

The case of *Riley* v. *Croydon*, mentioned by Mr. Adair (p. 50), affords a striking instance of the class of difficulty of which we speak. In that case the bill was originally filed by the mortgagee of a tenant for life (the fee being subject to a prior mortgage), against the prior mortgagees for redemption, against the tenant for life for immediate foreclosure, and against the remaindermen for foreclosure in case the plaintiff redeemed the mortgagees of the fee. The frame of the suit was exactly similar to that of a suit of *Watkins* v. *Eaton*, in which, under precisely similar circumstances, Vice-Chancellor Wood made the order asked. Pending the suit, and before decree, the tenant for life died, and the plaintiff's advisers, feeling that the suit had been rightly instituted, and had become abortive through no act of the plaintiff, offered to dismiss it without costs. This was refused, and the suit was therefore brought to a hearing solely on the question of costs. Vice-Chancellor Kindersley dismissed the bill with costs, expressing at the same time some reluctance, but saying that he could not extend to a case where the plaintiff's whole interest had been determined by the act of God, as here, that relaxation of the rule as to costs which had been admitted where the suit had been rendered abortive by a change in the law, an analogy upon which the plaintiff had relied. In the argument of that case a long list of cases were cited, decided on various points, each containing, indeed, a ruling as to costs, but which could only have been discovered by a general search of a very elaborate nature in various unconnected places; while it appears, from the citations on similar points in the book before us, that several other cases, at least equally in point with those relied on on either side, were not brought to the notice of the Court.

Both the volumes before us deal with the subject on the synthetical principle, so long considered as essential to every legal text book, and yet so conspicuously discarded by one of these very authors in that most successful of all modern legal hand books, Morgan's Chancery Practice. The scheme, therefore, of the works being similar, there is, as might be anticipated, a great similarity in the general plan:—thus, the various chapters in the English work are—I. The various kinds of costs. II. Security for costs. III. Costs of a suit generally. IV. Costs in particular suits. V. Costs under particular Acts of Parliament. VI. Costs affecting particular persons. VII. Delivery and taxation of bills. VIII. Modes of enforcing payment:—while the Irish author, proceeding by a similar, but more elaborate and logical, method of subdivision, gives us first of all—Part I. Costs of or incidental to suits. Part II. Costs of and relating to purchases and sales. Part III. Costs of trustees, &c. Part IV. Costs as between solicitor and client. Each of these parts is again subdivided into chapters: thus in Part I. we have, Chapter 1. Of security for costs. 2. Of interlocutory costs. 3. Of general costs of suit. 4, 5, 6, 7, 8, 9, 10, 11. Of costs in particular specified kinds of suits. So again Part II. is divided into—1. Costs of sales other than those under special statutes. 2. Costs under the Lands Clauses Act and other similar Acts. 3. The Settled Estates Act. So again in Part IV. we come to 1. On solicitors' lien. 2. General law of costs between solicitor and client. 3. Taxation. 4. Enforcing payment of costs. 5. Contribution towards costs.

It will be gathered from this slight summary that Mr. Adair's work is, so far as arrangement is concerned, by far the more elaborate and complete of the two; but, as a *per contra*, it must be remarked that the other work is much fuller and more detailed. In actual number of cases cited, for instance, Messrs. Morgan and Davey are decidedly in excess of their rival, but in the number of separate points elucidated and discussed they are at least equally far behind. They have, however, one advantage, and that of no small consequence, their book is far more accurately printed. If we may hazard a guess, we should say that Mr. Adair, after bestowing evidently enormous pains and research in writing his book, had left it very much to itself to find its own way through the press; while the other gentlemen, with a book

* Page lii.

less scientifically developed, had been careful to devote to its production that minute attention without which it is impossible to hope that a professional work of any kind (which must be to the compositors and readers, in a great measure, in an unknown tongue) can attain to reasonable typographical accuracy. More than one of the cases cited by Mr. Adair, and that too where the very fact that he has discovered that they were citable at all on the question of costs shows that he had referred to the report for the express purpose of the citation, are yet so disguised as to be scarcely recognizable One very remarkable instance of this is the case of *Brandao* v. *Barnett*, 12 Cl. & F., where the House of Lords determined that, under certain circumstances, a banker's lien did not attach. To find a point on costs in this case required a minute examination of the report, and yet both in the body of the book (p. 217), and in the table of cases (p. xxviii.), the plaintiffs name is given as Brandon, so that it was only by reference to the report that we discovered that the supposed novelty was a case "familiar as household words" on a different question.

Another evidence of carelessness of the same kind is the reference to the same set of reports in different ways, in different places. Thus Macnaghten & Gordon, which is usually referred to throughout the work as Mac. N. & G., appears as Mac. & G. (p. 43), Mc. N. G. (p. 183), and even as M. & G. (which ordinarily means Manning & Granger) at p. 67. This is obviously very puzzling to the reader, who naturally, if not very familiar with the names of the reports, fancies that a different set of letters must refer to a different report. A worse fault is that of "equivocal references." Thus we find, from the table of references, that the same form of reference, D. & S., sometimes means De Gex & Smale (De G. & S.), and sometimes Drewry & Smale (Dr. & Sm.) to the utter confusion of the reader.* Of the same kind is the fault of referring differently to the same case in different places, of which an instance will be found in the references to *Buck's case* at pp. 159, 161. The reader naturally supposes that different cases are meant.

These are blemishes easily avoided, and of which Messrs. Morgan & Davey have, so far as we have seen, kept perfectly clear.

Notwithstanding these defects we cordially commend both books to the favourable consideration of the profession.

A Treatise on Arrangements with Creditors under the Bankruptcy Act, 1861. By WILLIAM DOWNES GRIFFITH, of the Inner Temple, Esq., Barrister-at-Law. London: H. Sweet, Chancery-lane. 1865.

It is only a few weeks since a review appeared in these columns of an essay on deeds of arrangement by Mr. T. E. Holland, and already it becomes our duty to bring before the notice of our readers another work identical in subject, and very similar in its size and scope. When, however, we hear two learned barons of the Exchequer declaring, not only that they have never delivered judgments which satisfied themselves on the subject of deeds under section 192 of the Bankruptcy Act, but that the judgments of their brethren on the bench have been to their minds equally unsatisfactory, we cannot but welcome every fresh attempt to throw light on the obscurities of this perplexing enactment. We do not propose to enter on the proverbially odious task of comparing Mr. Griffith's book with the work to which we have already directed attention, but it may be well to state generally that Mr. Griffith has confined himself more strictly than Mr. Holland to the subject of arrangements under the group of sections in the Act of 1861, commencing with section 192. And we may add that the whole work well bears out the statement in the preface that the cases on the subject "have at least been carefully digested, and in some instances their principles have been discussed, and inferences drawn therefrom as to the probable solution of questions yet to arise." In attempting the latter object Mr. Griffith is treading on dangerous ground. It would be rash indeed to predict what will be the judgment of the Courts on almost any point arising with regard to deeds of arrangement. We have known deeds held good which the counsel who were to support them deemed hopelessly bad, and deeds held bad which the counsel attacking them thought unassailable.

At the same time every discussion of the subject, whatever be the view taken, unquestionably seems to assist those who are compelled to come to some conclusion upon it. We shall, therefore, direct attention mainly to those portions of his treatise in which Mr. Griffiths deals with these debateable topics, and if we differ from some of his conclusions, we do so with the utmost diffidence, because the amount of care and skill which he has brought to bear upon the subject, raise a very powerful *argumentum ad verecundium* in his favour.

Upon the vexed question whether in estimating the assents of secured creditors the value of their securities is to be doubted, we find the following remarks:—

"In the case *Ex parte Morgan*, the Lord Chancellor, premising that he did not mean to overrule the case of *Re Shettle*, yet gave it as his opinion that creditors, bring upon the execution and registration of such a deed brought by section 197 into the same condition as creditors under a bankruptcy, secured creditors could rank against the debtor's estate only for the balance, after realizing the value of their securities, and the Common Pleas seem to have agreed with the Lord Chancellor in considering that this *dictum* does not affect the judgment in *Re Shettle*. The only way in which the cases can stand together is by requiring the assent of such a majority of unsecured creditors as will amount to three-fourths in value of the creditors unsecured, and the further consent of as many of the creditors, whether secured or not, as will make the whole number of assents up to the requisite majority of all the creditors including the secured as well as unsecured."

Again, further on we find it said, "Though the consent of a secured creditor may be *primâ facie* good for the whole amount of his debt, as seems to be decided in *Re Shettle* and *Turquand* v. *Moss*, yet when the deed comes to be administered his proveable debt will be reduced to the unsecured balance, and of course his assent will have to be reduced accordingly; this may bring down the value of the assents to the deed below what is required by the 192nd section, and invalidate the entire proceeding."

Now the mode here suggested for re-connecting the views of those who think that secured creditors should be reckoned as such at the full amount of their debts, and those who hold that the value of the securities should be deducted, is certainly ingenious, and seems to be the only way in which *all* the cases can be explained, so as to stand together; but we cannot see that it is warranted by the terms of the statute. However expedient therefore it might be that such *should be the law* (and this our limits forbid us to discuss), we do not think it can be held to be the law on any sound construction of section 192; and we cannot assent to the view that, because a secured creditor can only prove for the residue of his debt after deducting the value of his security, that therefore his assent, when he has proved, must be reduced accordingly, so that a deed, originally good according to the decision in *Turquand* v. *Moss*, should become afterwards invalidated by this reduction of assents. It might well be, as it seems to us, that, in estimating their assets, secured creditors are to be reckoned as creditors to the full amount of their debts (and, in a certain sense, they undoubtedly are creditors to that amount), while, at the same time, when the deed is once duly registered, they are, by the operation of section 197, to be treated *for the purpose of proving*, as creditors only, to the amount or their debts, *minus* their securities, but this explanation requires us to get rid of the late decision of the Lord Chancellor in *Ex parte Smith*. Disregarding that decision as inconsistent with the deliberate judgments not only of the Lords Justices, but of two Courts of Common Law, and as having been itself, as is remarked in the work before us, founded on a misconception of the state of the authorities, the *dictum* in *Ex parte Morgan*, and the decisions in *Turquand* v. *Moss*, *Whittaker* v. *Lowe*, and the other similar cases, could be reconciled in this way without any distortion of the words of the enactment, though we do not for a moment mean to say that the enactment, if such be its true construction, is at all satisfactory.

Again, in dealing with the equally difficult question how far a distinction is to be preserved between joint and separate creditors, Mr. Griffith suggests that where a deed contains an assignment of property, "the joint creditors should, wherever there is joint estate, be looked on as secured creditors to the value of the joint estate; and in estimating their assents to the deed intended to compound the debts of one of the partners, such assents should be estimated according to the rule above given with regard to secured creditors, in like manner in estimating the assents to a deed

* We are bound to state that, upon a careful examination of the text, we have found no instance of the use of these letters in the latter sense.

comprising the debts of a firm. If there is joint estate, the separate creditors of each debtor are to be regarded as secured to the extent of the separate assets of each debtor, and their assents reckoned only for the balance, as before recommended." This, again, seems rather like a piece of legislation than a construction of the terms of the statute, and the scheme suggested, although ingenious and in accordance with sound principle, necessitates, as Mr. Griffith himself almost admits, too intricate a calculation to be really practicable.

There are many other points, giving evidence of original thought, on which we should like to touch; but we have said enough to indicate that the work is the result of a real study of the subject, and no mere conglomeration of cases, while it is only just to add that all the cases decided up to the time of going to press are to be found in it, carefully collected and accurately digested. With these remarks, we cordially commend the treatise to the attention of the profession.

COURTS.

COURT OF QUEEN'S BENCH.

(Before COCKBURN, C.J., and a Special Jury.)

June 20.—*Langdon* v. *Godfrey*.—This was an action for negligence against an attorney. The defendant pleaded not guilty.

Mr. *Hawkins*, Q.C., and Mr. *Philbrick* were counsel for the plaintiff; Mr. *Huddleston*, Q.C., add Mr. *Bernard* were counsel for the defendant.

The plaintiff is a young lady residing at Kew, and in 1862 she was in a millinery establishment in Oxford-street. She was entitled to a sum of £500 under her parents' settlement on her attaining her twenty-fifth year. In 1862 she was about twenty-one years of age, and in that year she was induced to lend one Cresswell, who had married her sister, sums amounting to £300 in the whole. She trusted the defendant, a solicitor in Gray's-inn, to see that all was right. She mortgaged her reversionary interest, and the money was advanced without any security being taken from Cresswell. He became bankrupt, and the consequence was that she had to pay 10 per cent. interest on the £300 so advanced, the premiums on a policy of insurance, until she reached the age of twenty-five, and the principal sum of £300, on her reaching that age. The plaintiff had lost the whole of her money, and she charged negligence against the defendant in allowing her to lend the money without proper security. Cresswell brought Godfrey to her, and when he asked her to lend the money, the defendant assured her if she did so she would run no risk. Mrs. Birch and Mr. Cresswell had applied to her two or three weeks before she saw Mr. Godfrey to lend £200, but she declined.

Mr. Walters, solicitor, George-street, Mansion-house, considered the defendant was acting for the plaintiff in negotiating the loan of £300. He expressed a hope to Mr. Godfrey that he had made that poor girl safe, and he answered "all right," or something to that effect.

The defence was that the plaintiff, Cresswell, and his sister, Mrs. Birch, had agreed between themselves what was to be done, and having settled it they went to the defendant to carry out only that part of the transaction which required the services of a solicitor for raising the money. All the members of the family considered Creswell's business a valuable one, and the struggle was to keep it in the family. The plaintiff ran the risk of losing the money in the confident hope that the business would ultimately succeed, and that she would be paid.

The defendant was called, and in the course of his evidence stated that it never occurred to him to take the bill of sale of the business or furniture for the plaintiff's security, because he was never consulted as to the propriety of the plaintiff lending her money.

In answer to the learned judge he said he did not know whether the plaintiff had at the time a father or mother, or if £500 was all she had, and he never took the trouble to inquire. He understood that the plaintiff was lending the money to Mrs. Birch to carry on the business on her own behalf, but also for the benefit of her brother.

The LORD CHIEF JUSTICE said there could be no doubt this young lady had been victimised by her friends, and the question was whether the defendant had assisted them in doing so.

The jury ultimately returned a verdict for the plaintiff—damages, £372.

COURT OF BANKRUPTCY.

(Before Mr. Commissioner HOLROYD.)

June 20.—*Re the Hon. Richard Bethell*.—Adjudication of bankruptcy has been made against the bankrupt described as late of 45, St. George's-road, Pimlico, then of Stanmore, Middlesex, and now a prisoner for debt in the debtor's prison at Reading. His liabilities are roughly estimated at £25,000. The petitioning creditor is Mr. Robert Attenborough, pawnbroker, of Charlotte-street, Fitzroy-square. The bankrupt has given notice of his intention to apply for his release from custody on Thursday next. Mr. Chidley is the solicitor to the petition.

June 22.—The bankrupt came up for his release. The legal notice of two days had been given to the detaining creditor, but he did not appear, and the bankrupt was, therefore, discharged.

WEST INDIAN INCUMBERED ESTATES COURT.

8, Park-street, Westminster.

(Before JAMES FLEMING, Esq., Q.C., and REGINALD J. CUST, Esq., Commissioners.)

June 14.—*Re MacFee (deceased)—Ex parte MacFee*.—The proceedings in this case had been instituted for the purpose of realizing a mortgage on the West Indian estates of the late John MacFee, of the island of St. Vincent, who died in 1862, leaving considerable real estate in St. Vincent, but subject to incumbrances exceeding the value. Seven estates, named respectively Mount Greenan, Sans Souci, Peruvian Vale, Henry Vale, Jambou Vale, Pennistens, and Escape, had been sold by the Commissioners, the proceeds of the sale of the first four had been distributed, and the matter now came under the consideration of the Court on the settlement of the schedule of incumbrances on the remaining three estates, in consequence of Mrs. MacFee, the widow of the late owner, having filed two claims, one against Pennistens only, on the ground that that estate had been purchased by her late husband out of her own money, and that he had promised to settle it upon her, and the other against all three estates in respect of her dower.

The first claim was disposed of on the ground that there was no evidence that the money applied in the purchase of the Pennistens estate was separate property, or of any consideration for the alleged promise; but the second claim involved the consideration of several technical questions, which formerly were of frequent occurrance, but which are now almost forgotten by practitioners, viz., the expedients by which the claim of a widow to dower may be defeated. The Dower Act of 1833 had not been extended to St. Vincent at the time of Mrs. MacFee's marriage, and the claim was, therefore, not capable of being defeated by her husband. The estates called Pennistens and Escape, had been purchased by John MacFee from a Mr. Chauncey, who had, to all appearance, duly conveyed them to MacFee, but it turned out that the deeds of conveyance by which the legal estate had apparently been conveyed to MacFee, had been executed, not by Chauncey himself, but by Mr. Graham, as Chauncey's attorney, under a power executed by Chauncey for that purpose, Chauncey being in England, and Graham and MacFee being in St. Vincent; and that Chauncey had died a day or two before the execution of the conveyance in his name by Graham. The power of attorney being thus revoked and rendered void by Chauncey's death, the legal estate did not pass by Graham's execution, but remained in the devisees or heirs of Chauncey. And, owing to this accidental circumstance, the claim of Mrs. MacFee, to dower, was defeated. The widow's claim to dower out of the Jambou Vale estate was resisted on different grounds.

The Jambou Vale estate formerly belonged to Baillie and Ames, who, in February, 1856, sold it to MacFee for £1,800, to be paid in four instalments: on the 1st of February, 1856; the 1st of August, 1856; the 1st of February, 1857; and the 1st of August, 1857. By the conveyance to MacFee the estate was conveyed to the use of trustees for 500 years, to secure these instalments, and subject thereto to the use of MacFee, and the deed contained the following proviso:—

"Provided always, and it is hereby agreed and declared between and by the parties to these presents, that if the said John MacFee, his heirs, executors, administrators, or assigns, shall pay or cause to be paid to the said James Evan Baillie, Hugh Duncan Baillie, and George Henry Ames, or the survivors or survivor of them, or the executors, administrators, or assigns, of such survivor, the said balance of unpaid purchase-money, or sum of £1,800, and interest at 5 per centum

per annum thereon, from the said 1st day of February, in the year of our Lord 1856, in such instalments, and at such respective times as in the said two several bonds herein-before mentioned or referred to, and in the covenant of the said John MacFee in that behalf hereinafter contained, is mentioned and specified in that behalf, then, and in that case, and, immediately on and after payment of the said sum of £1,800 and interest, the said term of 500 years herein-before created, shall absolutely cease and determine."

The deed then contained a covenant by MacFee to pay the instalments on the days above named. The instalments were all paid by MacFee about the times respectively appointed, but there was no evidence as to the precise days of payment except in the case of the third instalment, which appeared by an indorsement on the deed to have been paid on the 9th of April, 1857. This instalment having been due on the 1st of February, 1857, was clearly paid two months after the appointed time, and on this ground it was contended that the term of 500 years, though a satisfied term was a subsisting term, and that as the deed by which the term had been created had been handed over with the other title deeds to the mortgagees at the time of the mortgage, they were entitled to the benefit of the term as a protection against the widow's dower, which only attached to the freehold, subject to the term. The cases of *Maundrell* v. *Maundrell*, 10 Ves. 246, and *Rice* v. *Rice*, 2 Drew. 81, were cited on this point.

It was contended on behalf of the widow (1) that the term was not a subsisting term, for that, on the true construction of the proviso for cesser, the term ceased on payment of the last instalment at whatever time it was paid; and (2) that even if it were a subsisting term, yet as it had never been assigned to a trustee for the benefit of the mortgagee, it was attendant on the inheritance as much for the benefit of the widow as of any other person.

Mackeson for Mrs. MacFee.

Archibald Smith and *Pearson* for the mortgagees.

The COURT were of opinion that, as to the claim of Mrs. MacFee to an equitable lien on the purchase-monies of Pennistens, there was no evidence that the monies alleged to have been advanced out of Mrs. MacFee's property were ever part of the estate, and that if not so they belonged to her husband absolutely, and that there was not sufficient evidence to support the allegation of a contract to settle the estate, even if such a contract would have been effectual. As to the claim of dower, the Court were of opinion that the proviso must be read in its entirety and could not be separated into two parts, and that the term, although satisfied, was subsisting at law, as the condition at which it would cease had not been strictly fulfilled. As the term was subsisting, and the instrument creating it had been handed over to the mortgagee at the time the mortgage was created, the mortgagee was entitled to the benefit of the term as a protection against the claim of dower. The claims of Mrs. MacFee were, therefore, disallowed.

BOW-STREET POLICE COURT.

June 19.—*Another Charge of Threatening a Judge.*—A middle-aged man, of military aspect, named Christopher Musgrove, was charged before the chief magistrate, Sir Thomas Henry, with writing threatening letters to the Master of the Rolls. The prisoner was brought up in custody of the warrant officer, George Manvers.

It was understood that the prisoner was formerly a clerk in the Audit Office.

The threat was contained in a letter written by the prisoner to Mr. Brett, (his Honour's secretary), dated June 14, in these words:—"The only alternative open to me, that of personally demanding an explanation, and of publicly insulting Sir John Romilly whenever and wherever I may meet him, is an alternative which I trust may be spared me."

The defendant mentioned that he had written a reply to Mr. Brett's letter, and he desired that it might be produced in evidence and read. The letter having been handed to him by Mr. Brett, he proceeded to read it. It consisted of a long and somewhat abusive tirade against Sir John Romilly, alleging that the learned judge had, in open court, accused him (defendant) of having ruined his eldest son, a youth who would shortly attain his majority, and who had recently received his commission in the army.

Sir Thomas Henry thought the evidence given against him as to the letter containing the threat, could only be strengthened by his reading other letters to a similar effect.

The Master of the Rolls was perfectly willing that the defendant should be allowed to read the whole of his letters to the Court, or make any statement he chose to offer.

Sir THOMAS HENRY.—But that is what I cannot permit him to do. It cannot be allowed that any person being dissatisfied with a judicial decision, may resort to threats of violence against the judge in order that, on being brought before the magistrate, he may take that opportunity to re-state his case.

The Defendant.—Will you allow me to state the cause of my complaint? As a gentleman I ask you to hear it.

Sir THOMAS HENRY.—I certainly cannot. If any wrong has been done you there is a legal remedy open to you. To resort to threats is a violation of the law, for which you must be held responsible.

The Defendant.—Do you mean to say that I cannot be heard.

Sir THOMAS HENRY.—I mean to say that no person is at liberty to use any threatening or insulting language to any judge of the land. It is an offence for which you might have been committed at once for contempt of Court, for which you might be indicted at the Old Bailey, or for which a magistrate may require you to find bail to ensure your future good behaviour. The Master of the Rolls has preferred to take the last, and by far the most lenient, of these three courses.

The Master of the Rolls.—If you will allow me, Sir Thomas Henry, I wish to say that I do not even require him to find sureties if he will give me his promise that the offence shall not be repeated.

Sir THOMAS HENRY.—You must allow me to decide that question, Sir John, I am sitting here for the protection of others as well as of yourself.

The defendant said that his letter would be found to contain an express disavowal of any intention to use personal violence.

Mr. Brett mentioned that the letter now alluded to by defendant was in reply to the one calling on him to "withdraw his threats." Mr. Brett then read from it the following passage:—

"So far from withdrawing any imputations or threats I may have made, I will expose this unprincipled and dastardly conduct whenever I may have an opportunity of doing so, without, however, resorting to personal violence, which his age will prevent—but insulting him as he has insulted me."

The Master of the Rolls.—I am desirous to deny on oath that I ever made the statement which the defendant has imputed to me.

The defendant.—Then if I had known that, I should have withdrawn the letters and apologized to Sir John Romilly for having written them.

Sir THOMAS HENRY interposed, observing that he really could not go into that question at all. It would establish a most dangerous precedent if a person concerned in a suit could be permitted to suppose that by making threats against the judge he would be enabled to obtain a rehearing of his case before a magistrate. It was beyond all question that the prisoner had declared his intention to take every opportunity of insulting the Master of the Rolls in consequence of something which he was supposed to have said. It appeared that the supposition was erroneous, but if it had been correct, even then the prisoner's conduct, writing a threatening letter to a judge of one of our courts of law, would still have been equally unjustifiable. He should feel it his duty to bind the prisoner over in his own recognizances of £200, and two sureties of £100 each, to keep the peace for the next twelve months towards Sir John Romilly and all her Majesty's subjects.

The Master of the Rolls.—I beg to repeat I should be perfectly satisfied with the defendant's personal recognizances, especially, as I imagine, he may have possibly some difficulty in finding bail.

Sir THOMAS HENRY.—I consider that you have already shown great forbearance in not requiring him to be indicted at the Central Criminal Court. In justice to others no further clemency can be permitted.

The prisoner, being unable to find bail up to the rising of the Court, was removed in the prison van.

COURT OF BANKRUPTCY (LIVERPOOL)

(Before Mr. Commissioner PERRY.)

June 17.—*Re Isaac Atherton.*—This bankrupt came up on his final examination for order of discharge.

Mr. *Martin* appeared for the assignees, and Mr. *Pemberton* for the bankrupt. Mr. Martin proceeded under the 221st and 159th sections of the Act, and accused the bankrupt of certain misdemeanours. It appeared that the bankrupt, a solicitor, and clerk to the county magistrates at Liverpool, was married in 1861, and that at the end of the year his encumbrances amounted to £1,830 13s. 3d. In the following year he incurred debts to the amount of £2,458 16s. 10d., and in 1863 further debts of £207 14s. 8d., making a total in three years of nearly £4,500. In the year 1864 he incurred further debts to the amount of £4,427 19s. 10d., of which nearly £3,000 was borrowed money. He seemed to have dealt extensively in mining shares, but attributed his embarrassments in a great measure to the conduct of his wife, who, he stated, had repeatedly taken valuable things out of the house and pledged them without her husband's knowledge. Mr. Martin characterized the whole case as one of the grossest which had ever come into the court, and asked his Honour not only to refuse the order of discharge, but to imprison the bankrupt.

Mr. *Pemberton* pleaded that the imprisonment of the bankrupt would be no benefit to the creditors, and urged his Honour to suspend the discharge and order the bankrupt to devote a portion of his earnings to the liquidation of his debts.

Mr. *Martin* said that they could not trust him to do so.

His HONOUR said that he should give judgment on Tuesday.

June 20.—Mr. Commissioner PERRY now gave judgment in this case. He said the case had not one redeeming feature. The bankrupt had been hopelessly insolvent at the beginning of 1864, if not long before, and could have had no reasonable expectation of paying the debts contracted in that year. His conduct when under examination would have been disgraceful to any man, and was particularly so to a member of a liberal and honourable profession. Considering the length of time during which the bankrupt had practised fraud and deception towards his creditors, he had come to the conclusion that he ought to refuse, and he did accordingly refuse, to grant the bankrupt discharge or protection. If he could have done so consistently with the Act of Parliament he would have ordered him to be imprisoned; it was owing to the construction of the Act, not to any opinion that did not deserve it, that this course had not been taken.

The bankrupt gave notice of appeal.

GENERAL CORRESPONDENCE.

DEVISE—JOINT-TENANCY.

Sir,—A testator, in 1824, devised an estate unto his son, Thomas, during his life, and after his decease unto his (testator's) three sons, William, Christopher, and Joseph, their heirs and assigns for ever. Do the three sons take as joint tenants or as tenants in common? J. T. SARGENT.

Louth, June 19.

[Joint tenants.—ED. *S. J.*]

MR. GLADSTONE'S ALTERATIONS IN THE STAMP DUTIES.

Sir,—Continuing my animadversions of last week upon Mr. Gladstone's Inland Revenue Bill, now passing through the House, I will first refer to the "agreement" clause contained in it (section 5). By this any agreement or memorandum for "letting of a dwelling house or tenement or part of a dwelling house or tenement for any period less than a year, at a rent payable weekly or monthly, and not exceeding the rate of three shillings and sixpence per week" is to be chargeable with a *penny* stamp only. This enactment tends to complexity in the Acts, if only by adding one more to the three already existing distinct heads under which agreements for letting are chargeable. Nor does it seem called for on grounds of necessity and fairness, as such an agreement would, under existing Acts, according to the construction put upon section 23 of the 17 & 18 Vict. c. 83 by the Inland Revenue authorities, be chargeable with sixpence *ad valorem* duty only—a sufficiently small duty for an instrument of such a character, and of which there must be so few as to bring but little to the revenue even with the higher duty payable. But beyond this the clause, from its peculiar wording and intended (?) restricted application, will give rise, I do not hesitate to say, to numerous doubts and difficulties. From being only a penny duty it is probable there will be a call for an adhesive stamp for it. But the bill contains no direction to the commissioners to provide one, or to appropriate one now in use. And it is doubtful if they have power so to provide or appropriate one without specific direction or authority (by statute), and, possibly, therefore, this will have to be done by a second Act, as has more than once been done recently.

The bill proposes, also, to reduce the duty on charterparties (now five shillings) to sixpence. How far this alteration is called for on grounds of fairness or expediency, I will not stop to enquire. But if the reduction in the duty might be considered a boon by the shipping trade, I think the proposed restrictive enactment, that is to accompany it, will be considered as counterbalancing it. The present regulations, as to stamping charterparties after they are signed, are, that if taken to the office within fourteen days of their date they are stamped on payment of the duty only; after fourteen days and within a month on payment of duty and ten pounds penalty, but after a month cannot be stamped at all. And this is irrespective of whether they be printed or written. The new enactment is, that if the charterparty be printed, or partly printed and partly written, it must be stamped *before* being signed, under a penalty of fifty pounds; but if it be wholly written then it may be stamped after signature, upon the terms like those now in force, that is, within fourteen days, upon payment of four shillings and sixpence extra; after that period, and within a month, with ten pounds extra.

The bill effects alterations in other heads of duty; but these I will not further refer to than to say that I could produce one or more of them in further support of the charges here made. I may, however, suggest a perusal of clauses 8 and 10 as an exercise to those not very conversant with insurance duties, and having no previous knowledge of the intentions of the farmers of the Act, although the obscurity and involved meaning in this instance may not be so much defective draughtmanship as the multiplicity of enactments and duties in force and payable, &c.

I may, too, refer to another feature of this bill, which, although a matter of mechanical detail, is additional evidence of the want of unity, harmony, and consistency, pervading these modern Acts, one with the other. In a former communication,* upon one of the Acts of last session, I complained of the mixing up in one act of matters relating to customs, excise, and stamps, which formerly it was the practice to deal with respectively by separate Acts. But this evil was a little mitigated in the Acts, up to last session, by keeping the respective parts under classified headings. But this is not done even in the present bill, as, without any heading, we have a section (17) relating to stamps and the next to excise, as so again with sections 22 and 23.

Bearing in mind the old and familiar assertion that it is possible to pick holes in, or drive a coach through, most Acts of Parliament—too often, nevertheless, repeated, parrot-like, or ignorantly assented to—I have yet, I think, shown that these modern Acts relating to stamps, as well as the great objection of their frequency, have special, glaring, and (generally) inexcusable defects. And if I have expressed myself strongly upon them (not without being conscious that responsibility attaches even to anonymous communications), I am in a position enabling me to appreciate, from actual experience, how much they have increased and aggravated the obstructive operation of the stamp laws as regards legal, as well as commercial, transactions; and I have reason to believe that some of the leading law stationers and vendors of stamps in the city, contemplate the passing of the present bill with considerable uneasiness; for, through the great multiplication of the duties, it will cause them either to sink a much larger capital in the keeping of stamps, with no better return than at present, or to cease to keep some of them altogether, the which would cause considerable public inconvenience. This happened on a former occasion, when an unfair reduction was made in the allowance on a particular stamp, and they found that, in justice to themselves, they must cease to keep the stamp in stock—the Government, soon after, deeming it expedient to increase the allowance. Therefore, as collectors of a considerable amount of revenue, these persons not unreasonably think

* 8 Sol. Jour. 550.

the Government owe them some consideration, and they join in the complaints made against these modern Acts, and in particular against the present bill.

If in these remarks I have spoken strongly (I would again say), and used Mr. Gladstone's name a little freely, I would fain believe that I have shown good cause for doing so; for I do not wish to be classed with the small and ignoble fry who are ever ready to carp and cavill. I have a warm appreciation of Mr. Gladstone's high abilities and character, and have good faith generally in his discernment and earnest purpose—to say all which is, perhaps, not out of place just now, when I remind your readers of the remarks of an hon. member (Mr. Hunt) upon Mr. Denman's motion for the repeal of the certificate tax, and seeing that I am writing in a solicitors' journal. But in the case of these dabblings, however, with the stamp duties, Mr. Gladstone has been, I think, over clever, partly prompted thereto, it may be, by lending too ready an ear to suggestions for alterations in particular duties made by those who make out a plausible case for such alterations, without reference to, and, in fact, in ignorance of, the way in which other duties, and the general working and operation of the stamp laws, will be affected thereby.

In conclusion I will once more recur to the urgency of a consolidation *and* general revision of the stamp laws, although it is too large a subject to discuss fully at the end of a letter. To say, shortly, that despite the complexity and anomalies of the law, as it at present subsists, such consolidation and revision should not be a Herculean, or even very difficult, undertaking, and could be done independently of, and yet to harmonise with, and so form a part of a (hereafter!) consolidation or codification of the other laws, is to lay myself open to a charge of ignorance and presumption. But this belief is founded upon more than twenty years study of, and daily practice, in dealing with the Stamp Acts. The necessity and claim for a consolidation and revision may be urged too upon the ground that the stamp duties are not likely to be in future a less important source of revenue than they are at present. Nor that it is to be expected they will, in that respect, ever take precedence of the customs or excise duties; but it would seem to me that there are special reasons why they should be a more permanantly fixed, and certain source than the latter two, and to make them so would be to further all that I have been urging in these two letters. One cause that would favour this end is, that claims on the part of the country for alteration and reduction in them, are less likely to be made than in those of the customs and excise. The area, too, to which the stamp duties now extend, has, I think, reached its limit. But if there were an entire reconstruction of the Acts, upon a broad and *permanent* basis (the which I have again the temerity to urge) this would admit of increase or decrease when *urgently* called for in the rate of *ad valorem duties*, and which could be done without causing the evils resulting from the kind of changes here complained of. H. F. H.

June 12.

[We are compelled to hold over some supplemental notes to this letter (which we have received) till our next.—Ed. *S. J.*]

PARLIAMENT AND LEGISLATION.

HOUSE OF LORDS.

Friday, June 16.

COURTS OF JUSTICE CONSOLIDATION SITE BILL.

On the order of the day for the consideration of the Commons' amendments to this bill,

The Lord CHANCELLOR said that on its third reading Lord Redesdale moved an amendment, which their lordships passed, to the effect that no steps should be taken to secure property, and that no contract should be entered into for the erection of the proposed Palace of Justice, until the plans and estimates had been submitted to and sanctioned by Parliament. The Commons had consented to an alteration in the provisions in the bill in that respect, so far as that proceeding should be stayed until a certificate had been received by the Treasury signed by all the commissioners, which he thought would meet the views of the noble lord. He moved, therefore, that the Commons' amendments be agreed to.

Lord REDESDALE said that what the Commons had consented to was a complete admission that the matter required serious investigation, and he had full confidence that the commission would do its duty in that respect. He had had, since the bill was before their lordships, some communication with the Incorporated Law Society, and he was sorry to find from their views on the subject, that the country would probably be subjected to a very much larger expense than the sum which had been named, if it were desired to have anything which would be worthy of the name of "a Palace of Justice." They told him that the estimates were made for the plainest possible building, that it would be impossible to take the suitors' money for ornament, and that if the country wanted that sort of thing the money for it must be sought elsewhere; and that as to the approaches, they had nothing to do with them, as the Metropolitan Board of Works would see to them. He (Lord Redesdale) was convinced that the estimates were insufficient, and he thought it right that the public should know what it had to expect. There was, however, one thing to be said—a good Baker-street elevation would be quite sufficient for Bell-yard and Carey-street; and as to the Strand, the best thing to do there would be to erect a row of shops, and put the building behind it in order to secure somewhat more quietude for the business of the courts.

Lord DENMAN said that a more extravagant, speculative, and absurd plan had never been heard of; and as for its architectural pretensions, it was impossible to make it anything better than a bad imitation of the Four Courts at Dublin.

The motion was then agreed to.

COURTS OF JUSTICE BUILDING BILL.

The Commons' amendments on this bill were likewise agreed to.

Monday, June 19.

DIGEST OF THE LAW.

The Lord CHANCELLOR laid on the table a bill for completing the revision of the statute law and expurgation of the statute book. He said the statutes of the realm were at present in forty-four quarto volumes. The bills presented by him on former occasions, and which had passed into law, carried the revision and expurgation down to the reign of James II. inclusive; and the bill which he had now the honour to present completed the entire work of revision. He was happy to say that if this bill passed into a law, the new edition of the whole of the living statutes which would follow would probably be comprised in ten volumes only of the same average size as at present. This, however, was by no means the end of the work. The next step would be to arrange the statute law in the form of a digest under the most appropriate heads, forming a complete analytical arrangement; and then to revise and expurgate the unwieldly and still increasing mass of the decided cases, reducing them to such as constituted the body of existing authorities, and which might in their turn be digested and arranged. Their lordships would be glad to hear that the House of Commons had voted a sum of money for this purpose, and he trusted that the work would go on successfully until the whole of the written and unwritten law was ascertained, reduced into order, and brought within reasonable compass.

After a few observations from Lord St. LEONARDS, which were inaudible in the gallery, the bill was read a first time.

Wednesday, June 21.

LAND DEBENTURES (IRELAND) BILL

The Earl of CORK moved that this bill be committed to a committee of the whole house. The select committee had reported against it, but the measure was a very beneficial one.

Lord St. LEONARDS said the select committee had determined not to proceed with the bill upon principle, and not with reference to any particular provisions. The object of the measure was to enable proprietors of Irish estates to make a sham mortgage, to get it registered, and then to issue debentures upon their property to the amount of that sham mortgage.

The Earl of DONOUGHMORE considered that the noble earl was quite justified in appealing to the House from the decision of the committee, the rejection of the bill having been determined upon by a majority of five noble lords connected with England against three connected with Ireland. There was on greater want in Ireland than the application of capital to the cultivation of the soil, and any measure which would promote that object would be a boon to the landed proprietors of the country.

Their lordships divided:
For the motion..... 51
Against ..... 14—37
The House then went into committee on the bill, and it passed through committee with two amendments.

HOUSE OF COMMONS.

Friday, June 16.

New Writ.

Colonel White moved that a writ to be issued for the election of a new member for Devonport, to supply the vacancy in the representation of that borough caused by Sir A. W. Buller's acceptance of the Stewardship of the Chiltern Hundreds.*

Monday, June 19.

Patent Law Commission.

Mr. Lowe asked the noble lord the member for King's Lynn what steps he proposed to take with regard to the report of the Patent Law Commission, of which he was chairman.

Lord Stanley said the commission was appointed three years ago, which was confined in the scope of its inquiry. It was not appointed to inquire into the principle upon which patent laws were founded, but simply to inquire into the working of the existing laws, and to suggest such amendments as might be considered desirable. The report of the commission, with their recommendations, was before the House. But he was bound to say that having heard all the evidence and considered the subject, the effect upon his mind was to raise a very serious doubt as to whether it was desirable to maintain the principle of the patent laws at all. That was also the impression left on the mind of the hon. and learned member for Belfast, and he believed also on the mind of the hon. member for Bradford. There was a preliminary question therefore which he thought it would be desirable for the House to discuss, namely, whether the principle of the patents should be maintained. If the House decided in favour of the maintenance of that principle, then he thought that the recommendations of the commissioners might be beneficially introduced.

SCOTLAND.

COURT OF SESSION—FIRST DIVISION.

Miss Longworth *v.* The "Saturday Review."

Wednesday, June 21.—In this case, Maria Theresa Longworth, designing herself the Hon. Maria Theresa Longworth or Yelverton, was pursuer, against Alex. James Beresford Beresford Hope, Esq., of Bedgebury-park, Kent, and John Douglas Cook, Esq., of The Albany, in the county of Middlesex, proprietors of the *Saturday Review*, in an action for an alleged slander against her, published in the *Saturday Review* of 30th July, 1864. Arrestments to found jurisdiction were used in the hands of Messrs. W. Blackwood & Sons and other publishers, and the action was met by the defenders with the preliminary pleas of want of jurisdiction, and *forum non competens*. Lord Ordinary Jerviswoode, on 14th March, issued an interlocutor repelling these pleas, and appointing the case to be enrolled with a view to further procedure. The Court to-day unanimously sustained the judgment of the Lord Ordinary.

The Lord President said—This is an action of damages raised by the pursuer Maria Theresa Longworth against the defenders Mr. Beresford Hope, Mr. Cook, and others, claiming damages in respect of a slander that has been proposed in an article published in the *Saturday Review*. We have nothing to do at present with the character of that article, be it slanderous or not. The questions we have to deal with are the question of jurisdiction, and the question of *forum non competens*. The defenders not being resident in this country, jurisdiction can only be founded by arrestment made for that purpose; and the question is whether, in respect of the arrestments made in this case, there is jurisdiction in this Court. The next question is whether, assuming there is jurisdiction here, the case should be allowed to proceed in this *forum*. In the first question it is not disputed that by arrestment used for that purpose the Court does obtain jurisdiction in a great number of cases, and that it is quite a common mode of proceeding against parties furth of this country. But it is said that it does not apply to all classes of cases, and that this is not one of the kind of cases to which it applies, being an action of damages for alleged wrong, and not an action for the recovery of any sum due, or any mercantile transaction leading to damages. It is admitted on the part of the pursuer that jurisdiction is not obtained by such a proceeding in reference to certain classes of cases—such as cases of *status* and certain actions of declarator and reduction—but it is maintained that the jurisdiction extends to all cases of pecuniary claims for compensation, whether for debt or injury. There can be no doubt there are exceptional cases in which the jurisdiction of the Court could not be extended by the arrestment of moveable securities; and I think the exception as to questions of *status*, and also in cases of proper declaratory actions, is quite clear. But in reference to a pecuniary claim for damages for slander, it does not appear to me that this objection has ever been sustained; and I think it is very difficult to distinguish that class of cases from those of any ordinary claim for debt. The next question is the plea of *forum non competens*. That plea did not mean that the *forum* is one in which it is wholly incompetent to deal with the questions raised. The plea is generally stated in reference to a class of cases in which the Court has considered it more expedient for the ends of justice that the parties should seek for justice before another *forum*—cases where it must be an obvious hardship or injustice in requiring the party to come here, or where the means of ascertaining the truth more plainly existed elsewhere, or where the law to be administered ought more properly to be the law of another country. In this plea various considerations of the kind come into operation. There are cases in which the Court is called on to exercise a discretion—and in some cases the Court has exercised the discretion to the effect of holding that the case was clearly one which ought to be proceeded with elsewhere; and in some of these cases, instead of the actions being dismissed, the proceedings have been sisted, pending procedure elsewhere, to preserve to the party the benefits of diligence or otherwise, which might have been lost by the complete dismissal of the case. In the present case the pursuer sets forth that she has resided in Edinburgh, and that she is a litigant in Edinburgh, as the records of this court show on more than one occasion; and she complains that, in reference to a litigation which has been depending here, and which was transferred to the House of Lords, although subsequently brought back to this *forum*, an article was published in the *Saturday Review* which she describes as libellous; and she states that this journal is published in London, and "is much read by the more intelligent classes, and has an extensive circulation in Great Britain and also in the British colonies, and is read in foreign countries also as a legal exponent of public opinion. The said journal was extensively sold and circulated in England by the authority and within the knowledge of the defenders, prior to and in and during the month of July 1864. Copies thereof are and were used to be sent, and in particular copies of the number containing the article complained of were sent by post from the defender's publishing office in London to many persons resident in Scotland, and the said journal was thus published in Scotland." The answer to that is:—"Admitted that six copies or thereby were and have been in use to be sent from the defenders' publishing office to persons in Scotland, that in addition to these a copy is occasionally sent to persons in Scotland, specially writing therefor; and a copy to persons who have inserted advertisements, for the purpose of satisfying them that their advertisements have been duly inserted. *Quoad ultra* denied." That amounts substantially to an admission that the journal has a certain amount of circulation in Scotland. But the defenders allege that the pursuer is a domiciled Englishwoman, that she has no property or residence in Scotland, and only comes occasionally, and for a few days at a time, to Edinburgh, and while there she resides at a hotel. This is denied. They say they are domiciled in England, and that they have no business in Scotland, and no agencies, and that they are ready to answer in the proper courts in England. Now, as to the question of domicile, I do not think that has to do with the question. As to residence, the pursuer describes herself as resident in Edinburgh; and I do not think there is enough set forth to make it clear that she has left England and come to Scotland for the purpose of availing herself of the law of Scotland in this matter. It is not stated by the defenders where she was when this publication took place. She describes herself as

* Sir Arthur (who is a retired Indian judge) has since been returned for the borough of Liskeard.

resident in Scotland at the date of raising this action in August, 1864, and the date of the publication of the article was in July. It just comes to this: that this lady (though domiciled in England, being here litigating—pretty frequently, it may be—and residing, it appears, for some time here, having interests here, and having litigations here), says that she is slandered by a publication issued from London and sent down to Edinburgh, where her litigations are going on; and she says these slanders injure her in her character and reputation. I do not go into the question whether, if copies had not been sent by the publishers to Scotland, the circumstance that they merely sold it to news-agents in London, who sent copies to Scotland, would be a ground for holding that they are not the publishers of it also in Scotland. I am not prepared to say, in reference to such a matter as this, that the publication of a newspaper, the object and intention of which is to be sent to all places where the English language is spoken, and which is known to have an extensive circulation both at home and abroad - the copies of which are carried in all directions, and which the publishers wish and intend to be so carried—I am not prepared to say whether these parties are to be held as in no degree responsible for the pubication of the slanders in those places where it is published. I am not prepared to give any opinion on that, and I think it is unnecessary, because it is positively admitted that copies are sent to Scotland, and in use to be sent to Scotland, and that copies may be had at any time by persons who ask them to be sent. We are also told that copies are sent to persons who advertise in the paper, with the view of showing that their advertisements are inserted. Now, if these advertisements are stitched up with libels against other parties, and if they are sent for the purpose of letting a party see that his own advertisement is inserted, I am not prepared to say that that would relieve the defenders of their responsibility of the publication of the slander. The case therefore comes to this: that the alleged slander is published in Scotland, and the pursuer says it affects her character so much that the publication in Scotland is an injury done to her in Scotland. Now, then, I see no reason why a party here complaining of an injury done to her in Scotland—it may be done to her in England also as well as in Scotland—should not be entitled to pursue in this *forum*. You are told that there may be inconveniences attending this course because of differences in the law of the two countries. It is not explained what these differences are, but I am not prepared to hold that the law of the other country is a law which is to regulate the consequences of a libel circulated in this country. I am not prepared to hold that a person who circulates in England, and sends down and circulates in Scotland, that which by the law of Scotland is libellous and slanderous — even though by the law of England it is not so—is to be exempted from the consequences of the circulation of that slander in Scotland, or that the party injured is to have no redress, merely because, in the country in which the thing was first given forth, it is not a libel. It may be that in some countries there is no law of libel at all; but are persons in this country to be subjected to injury, consequent on the circulation of a slander, and the law to offer them no redress? On the whole, I am of opinion that this plea of *non competens* should be dismissed, and we should adhere to the judgment of the Lord Ordinary in the case.

Lord CURRIEHILL said they must deal with the question of jurisdiction here simply on the ground of arrestment. He thought it was quite clear that in cases of this kind jurisdiction might be founded by arrestment, and that their jurisdiction was not limited to what might be called merely mercantile cases. With regard to the question of *forum*, this was simply a question of whether the Court would exercise a certain discretion which it had in dismissing the case as one which might be more properly tried elsewhere. He thought the *locus delicti* in this case was in Scotland as well as in England, copies of the paper having been sent from the office in England to Scotland; and that, as the case stood, they were warranted, in the exercise of their discretion, to allow the pursuer to have the case tried in this Court. He therefore concurred with his Lordship in repelling both these pleas.

Lord DEAS said he had arrived at the same result with their Lordships and the Lord Ordinary. Upon the question of founding jurisdiction he had no doubt at all. The mode of founding jurisdiction by arrestment in Scotland of the funds of a foreigner was perfectly well known, and that mode of founding jurisdiction was applicable generally to pecuniary claims, however they might arise. There were certain classes of claims involving *status* in which there were exceptions to this mode of founding jurisdiction, but it was imperative upon the party objecting to the jurisdiction to show grounds for including any particular case among the exceptional cases; but that had not been done in this case. This was just an ordinary civil suit for payment of damages in respect of slander, and he saw no ground for holding this to be an exception to the founding of jurisdiction by arrestment in respect to the nature of the action; and if there were no grounds for exception with respect to the nature of the action, he did not very well see any other plausible ground for exception that could be stated. The only matter on which he thought there could be any doubt in this case was the second question, whether this was the proper *forum* where the action ought to be tried. The Court were not bound to exercise the jurisdiction if, by exercising their jurisdiction, they would be putting the defender who objected to it to an unfair disadvantage; but it lay upon the party taking that objection to show that he would be clearly put to some unfair disadvantage by the case being tried in this country. According to the law of Scotland, the sending of any single copy of the newspaper to any individual in Scotland, be it to the lady herself, would be sufficient to found an action for libel if the action were otherwise competent. In this case, however, it was admitted that there was publication in Scotland. If any parties published a book or paper in the English language in London—whether they gave it merely to their newsagents or to any other limited class of people, or if they put it out of their own hands—it would require a great deal of consideration, if it came to Scotland, to say that they would not be subjected to an action for libel for the contents of the book or paper just as much as if they had sent the book or paper direct. But they did not require to consider that question, because it was admitted that copies of the newspaper had been sent to parties in Scotland. Now, then, take the case that, instead of slandering this lady, which she says they did, the slander had been directed against a Scotch merchant carrying on a large business in Edinburgh or Glasgow, and the nature of it had been to injure him in his mercantile character and in his feelings, could it be maintained for a moment that, if he brought an action against the publisher, who resided in London, and who was in a position which could subject him to the jurisdiction of the Courts in this country, the Scotch merchant was to be compelled to go to the Courts of England, about the laws and procedure of which he knew nothing, or to drop his action? He thought that was out of the question altogether. If parties published books or journals either in England or Ireland, and these were circulated in Scotland, they must lay their account for a remedy arising in favour of parties injured by them in the country in which they were injured, and in the country in which the parties resided who could be cited as witnesses to the injury. It was said that this lady lived a good deal in England, and was not domiciled in Scotland. The Court knew that she had lived long enough in Scotland to raise an important question as to whether she had or had not contracted a marriage in Scotland; so that she was not a person unconnected with this country, although she might not happen to be constantly residing in this country. He agreed with the Lord President that an alleged difference between the laws of the two kingdoms would not be a ground for sending the pursuer to the English Courts; but it might be a ground the other way. The pursuer alleged that she had been injured in Scotland; and she had chosen to bring her action in that Court which had jurisdiction, and it appeared to him that sufficient grounds had not been shown for refusing to allow her case to be tried in that Court.

Lord ARDMILLAN agreed with their Lordships on the first point as to the question of jurisdiction; but, on the second question, as to the proper *forum*, he had felt some difficulty. He had never been in favour of dismissing the action, because they had here an alleged libel published in Scotland, and he was not prepared to say that the action ought to be dismissed, in order that it might be tried in England; but he was not prepared to say that this was the most fitting or most appropriate tribunal for deciding the question here raised by the pursuer. He thought it would have been more fitting and more appropriate, under all the circumstances, to have tried the case under English law; but there was no sufficient reasons for dismissing the action; and, after the view which their Lordships had taken, he was not prepared

to suggest what otherwise he would have been much disposed to do, that the action should be sisted until the pursuer had tried her cause in the English courts, where the defenders proclaim themselves to be ready to meet her. That course would have been very much according to his feelings of expediencies and proprieties of the case, but he did not feel entitled to recommend that course after the opinions which their Lordships had expressed.

Counsel for the pursuer, the Lord Advocate, Mr. J. Campbell Smith, and Mr. M'Lennan. Agent, Mr. James Somerville, S.S.C.

Counsel for the defender, the Solicitor-General, Mr. A. R. Clarke, and Mr. A. B. Shand. Agents, Messrs. Morton, Whitehead, & Greig, W.S.

IRELAND.

ENTERTAINMENT OF THE LORD LIEUTENANT AT KING'S INNS.

An event of very considerable interest in the annals of our Irish courts, took place on the evening of the last day of term. The benchers of the Honourable Society of King's Inns entertained at dinner his Excellency Baron Wodehouse, Lord-Lieutenant of Ireland. This was a well-deserved compliment to his Excellency, and in the same cordial spirit in which the invitation was given the Viceroy accepted it. Amongst the benchers present were:—The Lord Chancellor, the Lord Justice of appeal, the Lord Chief Justice of the Common Pleas, the Lord Chief Baron, Mr. Justice O'Brien, Mr. Brewster, Q.C., the Recorder, Judge Keatinge, Mr. Baron Hughes, Mr. Baron Deasy, Mr. James Keogh, Mr. Justice Fitzgerald, Mr. Justice Hayes, Mr. Justice O'Hagan, Judge Longfield, Judge Lynch, Judge Berwick, the Attorney-General, the Solicitor-General, Mr. Serjeant Armstrong, Mr. Murphy, M.C.; Mr. Fitzgibbon, M.C.; Mr. Corballis, Q.C.; Mr. Major, Q.C.; Mr. Lefroy, Q.C.; Dr. Battersby, Judge of the Consistorial Court; Dr. Ball, Q.C.; Mr. Barry, Q.C.; and Mr. De Moleyns, Q.C.

The tables appropriated to barristers were filled, a large number of members both of the inner and outer bar attending to do honour to the benchers' entertainment of his Excellency. At the other side of the hall the students and solicitors mustered in large numbers, the fine apartment with its large company presenting a very animated scene.

No toasts whatever were proposed. About half-past eight o'clock his Excellency rose, and was escorted by the benchers to the reception-room. As he passed down the hall he was warmly applauded by the members of both professions. Several of the benchers were likewise enthusiastically received. When the Lord-Lieutenant left the King's Inns for the Viceregal Lodge, he was again cordially applauded by the company.

Such a circumstance is not without precedent—Two centuries ago Lord Strafford dined with the Benchers of the Honourable Society. Later still another like event took place. On the 16th of May, 1693, the publications of the day state that Lord Sidney, then Lord-Lieutenant, dined with the Benchers at King's Inns. "The benchers, headed by the Lord Chancellor, entertained his Excellency, the treasurer and judges receiving him at the gate, and the council and the attorneys in the hall. After dinner, where he was waited on by the treasurer, he retired to the parlour, and the book of the house being brought forward, his Excellency signed his name in it, and was admitted a member of the society." It appears that the fact that Lord Wodehouse was "aforetime" admitted to the bar led to the benchers thus recognizing him as one of *la noblesse del a robe*.

SITTINGS AT NISI PRIUS

(Before Chief Justice Monahan and Common Juries).

The certificate tax—Town and county licences—Action by an attorney.

Cook v. *Stubber*.—This was an action brought by the plaintiff, who is an attorney and solicitor, to recover from the defendant, who had been his client, the amount of costs incurred in the transaction of certain legal business. The defence substantially was that the business was transacted in Dublin, while the plaintiff was a country practitioner, and had only paid the licence for the transaction of country business, and therefore, could not recover for the business done in Dublin.

Messrs. Palles, Q.C., and Byrne, were for the plaintiff.

Mr. Phillips for the defendant.

Chief Justice Monahan directed a verdict for the plaintiff, subject to be turned into a verdict for the defendant, if the Court above should be so of opinon.

Bartlett v. *Lewis*.—The Court of Exchequer has granted a new trial in this case, which was tried last October, before the Chief Baron and a special jury, and occupied no less than thirteen days. The Court has made it a condition precedent to the new trial that the plaintiff shall pay the defendant's costs. It is said that these will not be much under £2,000.

THE IRISH BAR A HUNDRED YEARS AGO.

In a quaint volume entitled "The Present State of the British Islands," and published by Grierson, Dublin, in 1734, the following is the description of the then state of the bar:—"The fees are so great, and their business so engrosses every minute of their time, that it is impossible their expenses should equal their income, though it must be confessed they labour very hard — are forced to be up early and late, and to try their constitutions to the utmost (I mean those in full business), in the service of their clients. They rise in winter long before it is light to read over their briefs, dress, and prepare themselves for the business of the day; at eight or nine they go to the courts, where they attend and plead either in the courts of equity or common law, ordinarily until one or two, and, upon a great trial, sometimes till the evening. By the time they have got home and dined they have other business to peruse, and they are to attend the hearings, either at the Lord Chancellor's or the Rolls, till eight or nine in the evening, after which, when they return to their chambers, they are attended by their clients, and have their several cases and briefs to consider and read over that night, or the next morning before daylight. And this brings me to consider the high fees that are usually taken by an eminent counsel; as for a single opinion upon a case, one, two, three, four, and five guineas; upon a hearing five or ten, and perhaps a great many more; and if the cause does not come on until the next day they are to be feed again, although there are not less than six or seven counsel of a side. We see the first-rate counsel frequently out of breath, running from one court to another, where several causes are hearing at the same time in which they are employed, and they appear in such confusion sometimes as not to know for whom they are concerned, or what is the nature of the cause."

CONVEYANCERS.

Pursuant to the late Conveyancers' Act, a code of rules has been framed by the Benchers defining necessary qualifications of parties seeking to become conveyancers.

"*Qualifications required for conveyancers, &c.,*

"June 1st, 1855.

"1st—That with the exceptions specially contained in the statute, no person shall be entitled to an order from the Benchers granting him permission to take out a certificate to practise as a conveyancer in Ireland, unless he shall have attended one course of lectures of the Professor of Real Property in the University of Dublin, and one course of the Benchers' Professor for the Legal Education of Attorneys; first paying to the treasurer of the King's Inns the sum of five guineas towards the expenses of such lectures and of the examination herinafter directed. The Benchers, however, reserving to themselves the power of granting such certificates, under special circumstances to be stated in the order, without requiring the applicant to attend said course of lectures.

"2nd—That any person, so qualified as aforesaid, may apply by memorial to the Benchers three clear days before the first day of Michaelmas Term in any year for the grant of such order, and all such memorials shall be laid before the Legal Education Committee; and the names of all such memorialists shall be posted in the hall of the King's Inns, the hall and library of the Four Courts, and in the hall of the Incorporated Society of Attorneys and Solicitors, from the first day of Michaelmas Term until the examination hereinafter directed.

"3rd—That examinations for the purpose of ascertaining the fitness of said persons so applying for such certificates shall be held once in each year, in the month of December, before the Legal Education Committee, who are hereby empowered to prescribe the time, place, and manner of holding such examinations, they giving one month's public notice of the time and place for holding the same.

"4th—That at the examination to be so held, the appli-

cants for such orders shall be publicly examined in the following books—'Williams on Real Property,' and 'Hayes on Conveyancing,' with liberty to the Education Committee to vary such books from time to time, and shall not be entitled to said orders unless at such examination the Benchers present thereat shall declare them fit for the same.

"5th—That the names and addresses of all persons now qualified to practise as conveyancers, or who may hereafter become entitled so to practise under these rules, shall be posted in the hall of the King's Inns, in the hall and law library at the Four Courts, and in the hall of the Incorporated Society of Attorneys and Solicitors, during Michaelmas Term in each year; and any person shall be entitled to submit to the benchers any matter or thing disentitling any of the said persons to the continuance of the certificate to him or them.

"6—That all such communication to the benchers shall be by a memorial, duly signed by the person presenting same, with his name and address; and shall be left with the under treasurer of the society on or before the 30th day of November in each year.

FOREIGN TRIBUNALS & JURISPRUDENCE.

AUSTRIA.

The Press in Austria.

It must certainly be a pleasant thing to be a newspaper editor in Austria. Apart from the perils of being continually pulled up for insulting the Government, it appears that in the semi-barbarous districts the police assume the right of flogging them. The magistrates of Essegg issued an order prohibiting the inhabitants from buying their meat of a certain butcher across the Drave, who sold it a penny a pound cheaper than the town butcher. The editor of the local paper wrote a sharp comment upon the order, for which he was summoned before the Town Captain, who told him that if he ever dared to write against the magistrates again, he would receive twelve lashes!

SOCIETIES AND INSTITUTIONS.

INCORPORATED LAW SOCIETY.

Pursuant to the charter of this society, the annual general meeting of the members will be held in the society's hall, in Chancery-lane, on Wednesday, 5th proximo, at two o'clock p.m., for the election of a president and vice-president of the society, and of fourteen members of the council, in lieu of ten members who will go out of office in rotation, and in lieu of Keith Barnes and John Hope Shaw, deceased, and of Charles Kay Freshfield and Edward Archer Wilde, resigned; and for the election of three auditors, and for other purposes of the society.

The following are the names of the members who will go out of office in rotation, and are immediately re-eligible, viz:—Edward Savage Bailey, Ralph Barnes, John Coverdale, William Ford, Frederick Halsey Janson, Edward Lawrance, Frederic Ouvry, Edward Leigh Pemberton, William Sharpe, Henry Thomas Young.

The name of every person intended to be proposed as president or vice-president, or as a member of the council, or as an auditor, must be sent in writing, to the secretary, seven days at least before the day of election.

THE JURIDICAL SOCIETY.

A paper was read on the 14th inst. before the society (Mr. D. D. Keane, Q.C., in the chair) by Mr. Cunningham Glen, upon the law relating to the area of chargeability of the destitute poor. The chairman, Mr. Hopwood, Mr. Banke, and Mr. Alsager Hill addressed the society.

SOLICITORS' BENEVOLENT ASSOCIATION.

The annual festival in aid of the funds of this admirable institution was held on Friday, June 16th, at the Freemason's Tavern, when some hundred gentlemen sat down to an elegant dinner, under the presidency of the Right Hon. the Lord Chief Justice Erle.

Grace was said by the Rev. John Davidson.

Upon the removal of the cloth, the toasts, "The Health of Her Majesty," "The Prince and Princess of Wales, and the rest of the Royal Family," were duly honoured.

The Chairman then proposed "The Army, Navy, and Volunteers," coupled with the name of Captain Monckton.

Captain Monckton (Monckton & Monckton) responded on behalf of the volunteers, saying that in an assembly of Ciceros he performed his duties with a kind of grim satisfaction, but sincerely believed that the volunteers were anxious to do their duty, encouraged as they were by the British public.

The Hon. Geo. Denman, Q.C., M.P., proposed "The Lord Chancellor and Her Majesty's Judges." No country in the world, he believed, had ever been blessed with a purer, a more honourable, and a more learned and intelligent administration of the law than England. It had been his privilege, owing to the fortunate circumstances of his birth and parentage, to become, early in life, acquainted with many of the judges of the land in their private capacity, and this friendship had only confirmed him in the conviction that Englishmen's love for their judges rested upon a solid basis. No man who practised before the members of the bench, whether in the courts of equity, on trials at *nisi prius*, on arguments *in banco*, or in the criminal courts of the land, could fail to be convinced of the purity and uprightness of those upon whom devolved the administration of justice. Having spoken of the judges as a body, it gave him exceeding pleasure to couple with the toast the name of his kind friend, Mr. Justice Montague Smith, who had comparatively recently been appointed by the Lord Chancellor as one of the judges of this realm in consequence of his merits alone, and with the universal approbation of the profession of which he had so long been an ornament.

Mr. Justice Montague Smith, who, on rising to respond was received with hearty cheers, said, although he rose with diffidence in the presence of the distinguished man who presided, he had learned to yield to discipline, and undertook the pleasing duty of returning thanks for the manner in which the toast had been proposed and received. He believed there never was a time when the judges of England were more devoted to, and more earnest in, the discharge of their duties, and he could only say that if his appointment had received the approbation of the profession it was that approval which gave the greatest value to it. If that approbation were accorded, he believed it was because, throughout his career at the bar, he had endeavoured to do his duty, which course he should still continue to follow; and it would have been impossible for him to have received his appointment with more satisfaction than the knowledge that the chairman was his chief judge afforded.

Mr. J. Kendall (Lake, Kendall, & Lake) proposed "The bar, coupling with the toast the name of Mr. Karslake, Q.C." He was sure that the bar never stood higher in the estimation of the profession and the public than it did at the present time; and those who were in daily communication with counsel knew that for learning, talent, fearless and conscientious discharge of duty, the bar of England at the present day stood in its proudest position, and it was gratifying to find that the two branches of the profession worked so harmoniously together.

Mr. Karslake, Q.C., responded, and said it was gratifying to know that in the opinion of gentlemen so well qualified to form an opinion, the bar of this country had not degenerated. Mr. Kendall had said that the members of the English bar discharged their duties with fearlessness and zeal. Fearlessness in the discharge of professional duty was now so common a quality that it had ceased to excite surprise; but if ever times should come when intrepidity should be conspicuous, he was sure that the members of the bar would be found ready to give practical evidence of the possession of that quality. In the discharge of their duties counsel received most valuable aid from the other branch of the profession; and he firmly believed that the present mode of procedure, in bringing causes to trial, was the most admirable that human knowledge had yet devised; for, by the preliminary preparation of briefs by solicitors, counsel were enabled to bring their minds to bear upon important features, and discard all that irrelevant matter which his experience had taught him clients were in general most anxious to rely upon.

The Chairman then proposed the toast of the evening:—"The Solicitors' Benevolent Association, and may prosperity attend it." He was happy to learn that, in the past, the association had made that steady and progressive advance which he hoped promised permanent maturity. In 1858 it commenced its operations, and now, in 1865, it had enrolled more than 1,500 members, and its invested capital exceeded £9,000. As they were well aware, the objects of

the association were the relief of members of the profession who had become incapacitated for carrying on the duties of their calling, and their families. No man knew better than did he the qualities which were required for the successful carrying on of the profession of a solicitor. When he considered the talents, the experience, the knowledge of the world, and of its regulations, both social and commercial, which were needed to fit a man to become a legal adviser in the various emergencies of life; when he reflected upon the sound judgment and the calm firmness which were required on many occasions, he was deeply sensible that a solicitor was entitled to hold a high social and professional standing. But the most prosperous among them might be stricken down by calamity; the strongest body and the most vigorous mind might become overstrained and overtaxed; the promise of comfortable estate might be scattered to the winds; and this aspect of the subject was serious almost to sadness. But there was another of comfort and satisfaction, because, when misfortune had come, when pecuniary need was pressing, the Solicitors' Benevolent Association came forward and proffered timely assistance, and thus members of the same honourable profession were enabled not only to give money, but words of social and brotherly sympathy. Those professional brethren who enjoyed health and prosperity were thus enabled to avail themselves of an opportunity of relieving the sufferings of their fellows; and was there a man present who had not felt a glow of untold satisfaction in the inmost recesses of his soul in doing good to those with whom he was professionally connected? He commended the association to favourable support, and hoped that all would aid it according to their means, for it must ever be an unalloyed joy to every man to know that he had assisted in giving help and comfort to the widow and the orphan, laying, as it were, a thank-offering upon the altar, and rejoicing in the retrospect of having performed a twice-blessed duty. These considerations might appear a little out of place in the midst of so festal a scene, but they could scarcely be avoided. The feelings to which he had adverted prompted the venerable founder of the institution to lay the first stone of the edifice, and his successors had carried the building onward and upward. He was happy to see Mr. Harrison present, who had taken so active a part in the construction, and hoped that all would heartily aid him in his good work.

Mr. HARRISON (Deputy-chairman of the association), apologized for the absence of Mr. Anderton in consequence of indisposition, and thanked the chief justice for the noble sentiments to which he had given utterance.

Mr. EIFFE the secretary, then read a list of donations and subscriptions (including a sum of forty guineas from the chairman, the announcement of which was received with protracted applause), amounting in the aggregate to £670.

Mr. W. S. COOKSON (Cookson & Wainewright) proposed "The Health of the Chairman," and acknowledged with pleasure the practical evidence of sympathy the chairman had manifested, as well as the courtesy and appropriateness of the address which his Lordship had delivered. He referred to the valuable assistance which the Incorporated Law Society had received from his Lordship when it was first proposed to establish what was known as the preliminary examination, in order to be assured that, before being articled, young men had received that liberal education which should fit them for the proper discharge of their duties as professional men. Much correspondence with the Chief Justice took place at that time, and he rejoiced in the opportunity of acknowledging that his Lordship threw himself so earnestly into the subject as to earn the gratitude of all the members of the council of the Incorporated Law Society. He hoped his Lordship might long be spared to adorn the bench of which he was so distinguished a member.

The CHAIRMAN, in responding, said as his humble services had been referred to, he must be allowed to acknowledge the inestimable advantages which he had received in his passage through their noble profession. He had been associated with judges who were men of such sterling public and private worth, that it would be strange indeed if he did not take by contagion and infection, supposing that in his own nature they were wanting, some, though possibly in a small degree, of those noble qualities to which reference had that evening been made. He had also had occasion to observe in many instances the incomparable industry, zeal, and talent which had been displayed by solicitors in the cause of their clients; and he was indeed earnest in his wish and endeavour to get the measure, to which Mr. Cookson had referred, carried through. He was happy in having been present on that occasion, and believed such gatherings did much good in bringing about good fellowship and kindly feelings amongst men who were frequently engaged in cases most hostilely litigated. Whatever might be their professional contests, it must ever be borne in mind that they were not only members of the great human family, but of a noble profession. He rejoiced to be able, however humbly, to aid the association, and knew of no time in the year 1865 that he had spent more pleasantly than he had done whilst being present that evening.

Mr. Serjeant TINDAL ATKINSON proposed "The Directors, Auditors, and Stewards," observing upon the importance of having men of known impartiality to distribute the funds of such an institution.

Mr. J. S. TORR (Torr, Janeway, & Tagart) responded on behalf of the London directors, and combatted the statement, which he said had been made, that the expenses were large in proportion to the funds. They had a secretary who was paid a very small salary, an office at a very low rent, and it was utterly impossible that the affairs of the association could be carried on at a less cost, and the supposition that they could was a fallacy.

Mr. KELSEY responded on behalf of the country directors.

Mr. C. A. SMITH proposed "The Visitors," regretting the absence of Mr. Anderton and Mr. Banner, of Liverpool, and coupling with the toast the name of Mr. Bulwer, Q.C.

Mr. J. R. BULWER, Q.C., responded and gave expression to the pleasure with which he had listened to the statement, shewing the prosperity of the association, and hoped that in future years they might have as distinguished a chairman as they had on that occasion.

Mr. WELLINGTON COOPER, in appropriate terms, proposed "The Ladies," and the toast was responded to by Mr. Walter Morshead.

Mr. FLUKER proposed "The Health of the Secretary," and highly eulogised the exertions of Mr. Eiffe on behalf of the association.

Mr. HARRISON (Deputy-Chairman) bore testimony to the untiring exertions of the secretary, to whom he said the success of the association was mainly owing.

Mr. EIFFE responded, thanking the company for so flattering a mark of their appreciation of his services, and stated that as he had endeavoured to do his duty in the past so he should continue to do it in the future.

The musical arrangements were by Mr. Fielding.

COURT OF COMMON COUNCIL.

A meeting of the Common Council was held on Thursday at Guildhall, the Lord Mayor presiding.

CONCENTRATION OF THE COURTS OF LAW.

The REMEMBRANCER (Mr. Corrie) read a letter he had just received from the Lord Chancellor on this subject. The Lord Chancellor stated that the Acts for the concentration of the Courts of Justice having become law, instructions are being given for issuing a Royal Commission in the matter. The Government had advised Her Majesty to issue a commission, constituted in the main as follows:* 10. A member of the Corporation of London, the Lord Chancellor suggesting that Mr. Alderman Lawrence, M.P. for Lambeth, would be a fit person for the purpose. The Commission would hold its first meeting before the judges leave town on circuit.

Alderman GIBBONS, agreeing that Alderman James Lawrence would fitly represent the corporation on the Commission, thought it an extraordinary proceeding for the Lord Chancellor to dictate to the Common Council whom they should nominate to represent them.

Eventually the Court appointed Mr. Alderman James Lawrence to represent them on the Commission.

THE RECORDER AND COMMON-SERJEANT.

The Law, Parliamentary, and City Courts Committee brought up a return, which had been ordered on the motion of Mr. H. Lowman Taylor, from which it appeared that during the eight years the present Recorder had held office he had received as counsel for the several branches of the Corporation the sum of £4,540 odd, or an average of £567 10s. a year, and that the Common-Serjeant had received during his period of office £4,754, or £594 7s. 6d. a year, independently of their respective salaries; the salary of the Recorder being £3,000, and that of the Common-Serjeant £1,500.

* 1—9 see our leading columns.

LAW STUDENTS' JOURNAL.

LAW STUDENTS' DEBATING SOCIETY.

At the meeting of this society on Tuesday, the 20th inst., the question discussed was—"When a certificate by the Registrar in Bankruptcy that a trust deed, executed by the prisoner, has been duly registered is produced to a sheriff on his making an arrest, is he bound, before discharging the prisoner, to satisfy himself that the requirements of the statute have been complied with?"—*Lloyd* v. *Harrison*, 13 W. R. 602.

The question was opened by Mr. Lloyd, and was decided in the negative.

EXAMINATIONS AT THE INCORPORATED LAW SOCIETY, TRINITY TERM, 1865.

FINAL EXAMINATION.

The examiners have recommended the following gentlemen, under the age of 26, as being entitled to honorary distinction :—

JOHN CRICK FREEMAN (John & William Crick, Maldon; Andrew Storey, London.)*

WILLIAM HOLMES (John Ward, Burslem; Ingle & Gooddy, London).

FRANCIS COOPER DUMVILLE SMYTHE (William Smythe, London ; Pownall, Son, Cross, & Knott, London).

WILLIAM GEORGE CHAMBERS (Hellard, Portsmouth ; Williamson, Hill, & Co, London).

SAMUEL PARKES CLARE (Howard, Dollman, & Lowther, London).

WALTER TAYLOR (John Yarde, London).

The council of the Incorporated Law Society have accordingly awarded the following prizes of books :—

To Mr. Freeman, the prize of the Honourable Society of Clifford's-inn.

To Mr. Holmes, Hr. Smythe, Mr. Chambers, Mr. Clare, and Mr. Taylor, one of the prizes of the Incorporated Law Society each.

The following candidates, under the age of 26, passed examinations which entitle them to commendation :—

THOMAS FREDERIC ARTENDALE (Handsley & Tattersall, Burnley).

HERBERT BRAMLEY (Bramley & Gainsford, Sheffield; Prior & Bigg, London).

FREDERICK CORBETT (Edward Corles, Worcester).

SAMUEL JOHN DAW, jun. (Charles Kitson, Torquay; George Edward Philbrick, London).

WILLIAM EDWARD MARSH (Richard Marsh, Leigh, Lancashire ; N. C. & C. Milne, London).

HENRY JOHN TWEEDY (Smith & Roberts, Truro ; Gregory & Rowcliffes, London).

The council have accordingly awarded them certificates of merit.

The following candidates would have been entitled to prizes if they had not been above the age of 26 :—

FRANCIS BUCKLAND.

JOHN EDWARD THORLEY GRAHAM.

Number of candidates examined, 157; passed, 143; postponed, 14.

COURT PAPERS.

CHANCERY CAUSE LIST.

Sittings after Trinity Term, 1865.

BEFORE THE LORD CHANCELLOR AND LORDS JUSTICES.

Appeals.

Ackroyd v. Briggs m d
Johnson v. Cross m d
(L.C.) Green v. Crockett ; Crockett v. Green pt hd
Lees v. Lees (R.—April 15)
Brideoake v. Lees (S.—May 5)
(L.C.) Mathers v. Green (R. —May 12)
(L.C.) Jopp v. Wood; Smith v. Jopp (R.—May 12)
(L.C.) Goold v. Gt. Western Deep Coal Co. (Limited) ; Gt Western Deep Coal Co. (Limited) v. Goold pt hd
(L.C.) Nunn v. Fabain (R. —May 29)
(L.C.) Mortimer v. Bell (R. —May 29)
(L.C.) Robinson v. Clarke (R.—May 30)
Andrewes v. Jones (W.— May 31)
(L.C.) Robinson v. Clarke (R.—May 31)
Davies v. Shepherd (W.— June 3)
Blackett v. Bates (W.— June 9)
Ivimey v. Stocker (K.— June 15)
Kirkwood v. Thompson (W. —June 16.

Causes.

(L.C.) Baxendale v. West Midland Rail. Co. m d
(L.C.) Baxendale v. Great Western Railway Co. m d

BEFORE THE MASTER OF THE ROLLS.

Causes, &c.

Wight v. Robinson c
Ormerod v. Rostron f c
Howard v. Earl of Shrewsbury c
Cheesman v. Price m d
Pink v. Aburrow m d
Thomas v. Chorley m d
Earl of Durham v. Legard m d
Beaumont v. Cauthery m d
Goldsmid v. Tunbridge Wells Improvement Commissioners m d (June 30)
Rucker v. Seymour m d
Attorney-General v. Smith m d (witnesses)
Southampton, Isle of Wight, and Portsmouth Improved Steamboat Co. (Limited) v. Pinnock c (June 27)
Same v. Muntz c
Same v. Rawlins c
Hunt v. Hunt f c
Bloxsome v. Chichester c
Bloxsome v. Chichester c
Branford v. Howard m d
Carter v. Carter m d
Brown v. Langton f c
Brandon v. Barlow m d
Whitwell v. Arthy m d
Greetham v. Colton m d
Barrow v. Tyrer m d
Smith v. Harding m d
Barillon v. Carr m d
Henderson v. Campbell m d
Clay v. Fenton m d
Richardson v. Lancaster and Carlisle Railway Co. m d
Cox v. Bockett wit (4 Jy)
Staniland v. Staniland f c
Craggs v. Gray; Webb v. Gray ; f c
Goodyear v. Bruton m d
Nightingale v. Yates c
Greenhow v. Price m d
Moore v. Marable m d
Verelst v. Midland Railway Co. m d
Mitchard v. Mitchard m d
Windsor v. Campbell m d
Hale v. Allaway m d
Cox v. Langley m d
Lord Kenlis v. E. Bective m d
Calcraft v. Thompson c
Kemp v. Nowell m d
Smith v. Smith ; Trinder v. Smith f c
Vestry of Parish of Bermondsey v. Brown m d
Chapman v. Woodgate m d
Coote v. Ede m d
Whitelock v. Lane c
Adnutt v. Wright sp c
Vandravart v. Ingle f c
Wallis v. Morris f c
Tagg v. Brookings m d
Wood v. Drew f c & sums
Babb v. Smith m d
Clarke v. London, Chatham, & Dover Rail. Co. m d
Manby v. Hall m d
De Winton v. Thomas c
Williams v. Williams c
McCarogher v. Whieldon ; Whieldon v. McCarogher f c & sum to vary
Grant v. Grant c
Louthean v. Cater c
Champain v. Coghlan m d
Vidler v. Lansdown m d
Bailey v. Bailey m d
Williams v. Glenton m d
Hayden v. Kirkpatrick m d
Birt v. Sleeman m d
Mansfield v. Green m d
Bateman v. Boynton m d
Carr v. Levingston m d
Adams v. Dudley & West Bromwich Banking Co. c
Ballie v. McKewan m d
White v. Fowler m d
Atty-Gen. v. Boynder m d
E. of Shrewsbury v. North Staffordshire Rail. Co. c
Leggatt v. Warren wit
Baker v. Parke wit (July 3)
Dykes v. Dykes m d
Steward v. Baker m d
Gregory v. Soames m d
Beck v Palmer m d
Davies v. Roberts c (June 26)
Cusack v. Henry c
Tweedie v. Phelps m d
Baylis v. Todd c
Scott v. Key m d
Green v. Green m d
Fairfax v. Taylor m d
Molesworth v. Brown m d
The Wycombe Rail. Co. v. Donnington Hospital m d
Maile v. Looker c
Baker v. Ruse m d
Groom v. Caldcleugh m d
Howells v. Wilson c
Snewin v. Snewin m d
Graham v. Morris m d
Elmer v. Ferguson m d
Williams v. Hall m d
Banks v. Gibson m d
Iredale v. Varty m d
Bruce v. Bruce m d
Gibson v. Dawson m d
Hewett v. Agar m d
Craven v. Craddock m d
Frisby v. Smith m d
Norman v. Pagdan c
Schotsman v. Lancashire & Yorkshire Rail. Co. m d
Fox v. Willis m d
Forrer v. Nash m d
Wedderburn v. Knyvett m d
Taylor v. Taylor c
Butler v. Grave m d
Reay v. Woolley c
Hardwick v. Wright wit
Evans v. Thomas m d
Dennis v. French m d
Robinson v. Welch m d
Wedderburn v. McMahon m d
Bostock v. Floyer m d
Offen v. Munn c
Mills v. Scotchford m d
Western v. McDermot c
Ward v. Carttarr c
Hancock v. Reeves m d
Ryland v. Richardson m d
Redman v. Gregory f c
Adams v. Adams m d
Wayman v. Marking m d

* The names in brackets are the attorneys to whom the candidates served their respective clerkships.

Wiebham v. M. Bath f c
Down v. Ellis m d
Price v. Cheesman wit
In re Boyes Thornton's Estate; Swire v. Thornton f c
Weller v. Aldridge m d
Johnson v. Rawlinson f c
Sydney v. Clarkson m d
Andrewes v. Tyrrell f c
De Hoghton, Bart., v. Money c
In re Brayshaw; Brayshaw v. Brayshaw f c
Lee v. Lee c
Edwards v. Merryweather f c
In re Johnson's Estate; Pattison v. Street f c
Tregar v. Williams m d
Howes v. Poole c
Howes v. Poole c
Tomlinson v Leigh m d
In re Corbett; Corbett v. Glazebrook f c
Kelland v. Fulford m d
Staples v. Stevenson f c
Sharp v. Gibbs m d
Hole v. Hole c
McDermot v. Seymour c
In re Penson's Estate; Griffithes v. Plunkett; Penson v. Plunkett f c
Wilson v. Bowen f c
Walker v. Ware, Hadham & Buntingford Rail. Co. m d
Davies v. Boffey f c
Lambarde v. S. E. Rl. Co. m d
Dodsworth v. Marshall c
Stephens v. Sullivan c
Barber v. Dawson m d

BEFORE VICE-CHANCELLOR SIR RICHARD T. KINDERSLEY.

Causes, &c.

Pearse v. Dobinson dem
Stewart v. Great Western Railway Co dem
Smart v. Hawksworth m d
Millard v. Ellyett m d
E. of Eglinton v. Lamb m d
E. of Eglinton v. Lamb m d
Maxwell, Bart. v. Mackenzie c
Maxwell, Bart. v. Wright, or Mackenzie wit (26 June)
Towns v. Wentworth m d
Walsh v. Jupp m d
Attorney-Gen. v. St. John's Hospital, Bath m d & pet
Pentney v. The Lynn Paving Commissioners m d
Norval v. Pascoe; Thomas v. Pascoe f c
Stockport District Water Works Co. v. Jowett m d
Turner v. Sowden m d
Dunsany v. Dunsany f c & p
Aylward v. Dedman m d
Jones v. Higgins m d
Ransome v. Burgess m d
Luttman Johnson v. Coombe f c
White v. King f c
Gregory v. Pilkington f c
Vane v. Cockermouth, Keswick, and Penrith Railway Co. m d
Scott v. Harrison m d
Coventry v. Coventry f c
Att-General v. Aust m d
Belchier v. Belchier m d
Painter v. Ford c
The London, Hamburgh and Continental Exchange Bank (Limited) v. Rochefort m d
Goss v. Jones m d
Stone v. Fisher m d m
Lambe v. Orton; (2 cau.) f c
Preston v. Melville f c
Macdonald v. Boucher f c & s
Jones v. Owen m d
Pince v. Beattie f c
Pattenson v. Russell; Day v. Russell f c
Lamprell v. Griggs f c & pet
Fox v. Charlton; Charlton v. Hall f c
Morgan v. Neath and Brecon Railway Co. m d
Isaacs v. Winston c
Davies v. Benham m d
White v. London, Chatham, and Dover Railway Co. m d
Clark v. Do. m d
Malins v. Do. m d
Appleton v. Rowley m d
Credit Foncier of Mauritius (Limited) v. Harris m d
Foster v. Bonner f c
Buckeridge v. Whalley f c
Windham v. Bugg m d
Coope v. Cresswell m d
Sandilands v. Gilchrist c
Gilchrist v. Sandilands c
Kell v. Nokes f c
Robson v. Whittingham c
Wilkinson v. Eykyn m d
Riches v. Wilkins m d
Edmunds v. Waugh f c
Attrny.-Gen. v. St. John's Hospital, Bath m d
Steer v. Steer m d
Johnson v. Hodgson c
Nicholas v. Walsh m d
Butt v. Imperial Gas Light and Coke Co. m d

BEFORE VICE-CHANCELLOR SIR JOHN STUART.

Causes &c

Shand v. Speltz dem
Moss v. Anglo-Egyptian Navigation Co. (Limited) d
Hacker v. Mid-Kent Ry. Co. d
Johnstone v. Hamilton f c pt hd
Newton v. Hume c
Williams v. Williams f c
Depree v. Bedborough f c pt h
Morris v. Llanney Railway and Dock Co. m d
Peter v. Jones m d
Kendall v. Grainger v v ev (8 July)
Price v. Peppercorn c
Taylor v. Padwick f c
Godfrey v. Consols Insurance Association m d
In re Simpson's Estate; Langley v. Simpson. f c
Brodie v. Hall sp c
Long v. Kent m d
Hitchins v. White
Appleton v. Austin f c & sum
Merryweather v. Jones f c
Soady v. Turnbull f c
Collins v. Wheeler m d
Taylor v. Hales f c
Taylor v. Walker m d
Berrow v. Berrow f c
Harding v. British Nation Life Assurance Assocn c
Atkinson v. Robinson m d
Humfrey v. Roberts f c & sum
Currie v. Larkins f c
Frost v. Ward f c
Brown v. Baskcombe; Brown v. Weller f c
Smith v. Edwards m d
Martin v. London, Chatham, & Dover Rail. Co. m d
Skelton v. Arnold; Skelton v. Arnold f c
Cadbury v. Cadbury f c
Harries v. Rees m d
Louis, v. Strachey f c
Hooper v. Surrage f c
Gibson v. Barker f c
Fitzgerald v. Woolmer c
In re Staley's Estate; Godfrey v. Hollingsworth f c
Moore v. Barber f c
Benwell v. Dudley f c
Holden v. Pell m d
Pitcher v. Pitcher f c
Spirett v. Willows f c
May v. Ramsey f c
Hume v. Pocock m d
Hollings v. Bevan m d
Leigh v. Leigh m d
Williams v. Freeman p conf
Frampton v. Edwards f c
Balmforth v. Chambers c
Cottrell v. Cottrell f c & sum
Jones v. Griffiths f c
Bosworth v. Cole m d
De Winton v. Hall m d
Ainsley v. Cannan f c
Wilson v. Charlton f c
Sisson v. Giles f c
Pitts v. Macey m d
Seagram v. Goodman m d
Barrett v. Edwards m d
Anthony v. Oldrieve f c
Ramsay v. Shelmerdine m d
Knight v. Knight m d
Brown v. Walters c
Edwards v. Martin m d
Walton v. Walton m d
Barnes v. Turbutt m d
Lovegrove v. Downs m d
Westborough v. Clissold f c
Attorney-General at the relation of the Skinners' Co. v. Charing Cross Railway Co. m d
Sherwin v. Cheslyn f c
Richards v. Ennor m d
Menday v. Dierdem f c
Sharman v. Egar m d
Lawton v. Wickstead f c
Grills v. Grills m d
Blacklock v. Donald f c
Hobson v. Hobson m d
Burd v. Burd f c & sum
Brutton v. Jewell m d
Abott v. Ranson f c
James v. James f c
Whitman v. Aitkon m d
Roberts v. Roberts c
Cookes v. Cookes f c & sum
Williams v. Govey f c
Jones v. Lock f c
Birtwistle v. Birtwistle f c
Taylor v. Manners sum
Montgomerie v. L. Foley m d
Harwood v. Harwood m d
Heaton v. Cross m d
Reeve v. Jones f c
Hawkes v. Greenhalf f c
Whitbourn v. Whitbourn m d
Dobbs v. Nugent m d

BEFORE VICE-CHANCELLOR SIR WILLIAM PAGE WOOD.

Causes, &c.

Collins v. Catley c
Jackson v. Ivimey demr
Clarke v. Clark m d
Lushington v. Lushington m d
Mitchison v. Buckton m d
Jackson v. Oglander m d
Woods v. Sowerby m d
Winearls v. Westby m d
Pepper v. Henzell pl
Woods v. Henzell pl
Reed v. Henzell pl
Wedderburne v. Thomas pro conf
Duke of Northumberland v. Gt. Western Rail. Co. c
Beard v. Turner m d
Savin v. The Oswestry and Newtown Rail. Co. m d
Tate v. Williamson m d
Davenport v. Philips m d
Windham v. Cooper m d
Barrs v. Fewkes (wit 5 July)
Budge v. Gummow m d
Williams v. Osborne m d
Doswell v. Reece f c
Ford v. Tynte and 5 other causes f c & sum & 2 pet
Wood v. Foley m d
D. of Portland v. Hill m d
Wyld v. Parker m d
Heath v. Wallington m d
Field v. Wallington m d
Renard v. Levinstein m d
Watson v. Holmes sp c
Powell v. Phillips f c
Waite v. Morland f c
Pinckard v. Wilson sp c
Cropton v. Corner f c
Southern v. Harriman f c & s
The Hafodwryd Slate and Slab Co. (Limited) v. Fletcher m d
Brace v. Brace sp c
Bonnett v. Ealing m d
Cannon v. Trelawny c
Hindley v. Emery m d
Gray v. Batt m d
Cade v. Wheatcroft m d
May v. May m d
Miles v. Miles, Bart. m d
Davenport v. Rylands m d
Darrell v. Willis c
Lucas v. Jones m d
Stormont v. Thickens m d
Staniar v. Evans m d
Stables v. Powell f c
Holden v. Holden f c
Hasluck v. Hasluck f c
Reading v. Atkins m d
Knox v. Gye m d
Roberts v. Pollard; Turner v. Wilson f c & sum
Wilson v. Hart m d
Hallworth v. Frost c
Hayward v. Braine m d
Watson v. Robinson m d
Wills v. Bush f c
Hill v. Curtis c
Ledward v. The Mersey Docks & Harbour Bd. m d
Campbell v. Campbell m d
Cocks v. Cocks m d
Birt v. Gainey m d
Hinde v. Morton c
Jenner v. Jenner m d
Buckham v. Buckham c
Earl de la Warr v. Lord Cavendish m d

Millard v. Bailey m d
Ainsworth v. Walmsley m d
Fountaine v. Carmarthen & Cardigan Rail. Co. m d
Earl of Stamford and Warrington v. Dawson m d
Yates v. Jack m d
Brown v. Jackson m d
Alhusen v. Whittell m d
Woods v. Lamb m d
Ewen v. Candler m d
Caulfeild v. Caulfeild m d
Alliance Bank v. Motion m d
Pennell v. Davison m d
Simpson v. Wild m d
Davies v. Tatham m d
Steele v. Stuart m d
Martin v. Martin s c
Tetley v. Brown c
White v. Chitty m d
Lewer v. Earl Shaftesbury c
Hopwood v. Ernest f c
Kelsey v. Fowler c
Coleman v. Butcher f c
Anstis v. Caunter c
Dear v. Webster m d
Denham v. Cox m d
Walker v. Brettell m d
Whitehouse v. Palmer; Palmer v. Palmer f c
Montagu v. Lansdown f c
Watkins v. Neath and Brecon Railway Co. m d
Goode v. Winkles tr by jy (July 10)
Richardson v. Stones m d
Smith v. Owen m d
Williams v. Williams f c
Hensley v. Wills m d
Sturges v. Sturges m d
Turner v. Elkins sp c
Singleton v. Selwyn c
Turnbull v. Walker f c
Muggeridge v. Bell f c
Wiltshire v. Marshall c
Trinder v. Trinder m d
Cropton v. Smith f c
Daw v. Eley m d
Briscoe v. Carpenter m d

CIRCUITS OF THE JUDGES.

ERRATA.

In the list published last week *
for Durham, July 17, *read* Durham, July 11;
,, Salop, ,, Shrewsbury.

Add—

Last day for notice of trial, ten days before the commission day at each town.

PUBLIC COMPANIES.

The Atlantic Telegraph Company propose to issue the remaining 50,000 £5 shares through the Credit Foncier and Mobilier Company and the Imperial Mercantile Credit Association. A preference dividend of eight per cent. is secured by special Act of Parliament. Offered as a preference stock, it will be entitled to rank first in consideration, and after this amount has been paid on the old capital, the surplus will be divided *pro ratâ* between them both, when provision shall have been made for a reserve fund. The traffic that must ensue through the route, when success has crowned operations, will yield large returns for the invested capital; and, therefore, there is every prospect of the old as well as the new stock becoming eventually remunerative. The company possesses the exclusive right of landing telegraphs on the entire Atlantic coast of Labrador, and on the coasts of Newfoundland, Prince Edward's Island, and the State of Maine. It has also arranged agreements with the entire telegraphic system of America, undertaking for the latter to connect exclusively with this company, and covenanting in some instances to return each week in cash, as a discount for the encouragement of the Atlantic Company, 40 per cent. of the charges received by them for messages over their lines to and from the cable. Out of the 50,000 shares, 40,000 will be appropriated to applicants who are shareholders in the Credit Foncier and Mobilier of England, the Imperial Mercantile Credit Association, the Atlantic Telegraph Company, and the Telegraph Maintenance and Construction Company, leaving 10,000 to be offered to the general public.

The subscription list will close on Tuesday next, for town, and on Wednesday, at noon, for the country.

The estates which the Chubwa Tea Company of Assam will acquire are of vast extent, not less than 16,000 acres, the bulk of which is admirably adapted for tea cultivation, and are situated in the district of Luckimpore, at a distance of from six to twenty miles from Dibroghur. About 1,685 acres are already under crop, of which the greater portion is in full bearing. The purchase money is to be £168,500, payable at intervals between this and the year 1870, and bearing interest at five per cent. meanwhile. The vendors guarantee a minimum dividend of ten per cent. for the first three years. The nominal capital will be £300,000, but only £200,000 will be provided for by the first issue of shares.

* 9 Sol. Jour. 739.

LEGAL PLURALITIES.—Mr. Henry Wyndham West, the present candidate for Ipswich, is (1) junior counsel to the Admiralty in London, (2) counsel to the Admiralty on the Northern Circuit, (3) attorney-general of the Duchy of Lancaster, (4) solicitor-general of the County Palatine of Lancaster, (5) attorney-general of the County Palatine of Durham, (6) Mint prosecutor at the West Riding sessions, (7) ditto Yorkshire, (8) junior counsel for the Post-office in Lancashire, (9) ditto Yorkshire. Mr. West was lately recorder of the borough of Scarborough, but resigned that post on being very recently appointed to the (10) very important and lucrative recordership of Manchester. We do not go so far as to say that Mr. West has not been appointed to all the above government posts solely on the ground of professional merit, but certainly he never enjoyed any extended practice at the bar except such as arose directly from his official appointments. Under no circumstances can it be right that so large a monopoly of public favours should be lavished on any individual.

JAMES C. JOHNSON, one of the wealthiest men in the South, died on the 12th ult., at his home, near Edenton, in North Carolina. He disinherited all his relatives because they left him and identified themselves with the rebel cause. His property, amounting to many millions of dollars, he left to a few personal friends. His immense possessions on the Roanoke river comprise the richest lands in the country. At the outbreak of the rebellion he told his slaves, numbering nearly a thousand, that the war would make them free, and that they could remain with him or go where they pleased.—*Washington paper.*

ESTATE EXCHANGE REPORT.

AT THE GUILDHALL HOTEL.

June 16.—By Messrs. NORTON & TRIST.

Freehold premises, being No. 28, Cornhill, in the city of London; let on lease at £403 7s. 4d. per annum—Sold for £15,500.

June 21.—By Messrs. NORTON & TRIST.

Freehold property, consisting of the whole of the buildings known as New-court; also a Warehouse and Dwelling-house, known as Nos. 14 and 16, Coleman-street-buildings, City, and Shop and House adjoining, being No. 13, Coleman-street-buildings, City—Sold for £12,100.

Freehold Estate, known as "Heasmonds," situate at East Hothley, Sussex—Sold for £10,000.

AT GARRAWAY'S.

June 19.—By Messrs. DANIEL CRONIN & SONS.

Freehold rental of £84 per annum, arising from the Barley Mow wine and spirit establishment, Drury-lane, with house adjoining—Sold for £1,530.

By Mr. NIGHTINGALE.

Leasehold residence, known as The Cottage, with garden, situate in Queen's-road, Kingston-on-Thames; term, 74¼ years unexpired, at rents amounting to £15 16s. 8d. per annum—Sold for £1,900.

June 20.—By Messrs. WILKINSON & HORNE.

Freehold, 2 plots of building land, situate close to Peckham-rye—Sold for £230.

Freehold plot of building land, in the parish of Friern, Barnet, Herts—Sold for £30.

Freehold plot of building land, in the parish of Harrow, Middlesex—Sold for £33.

By Messrs. FOSTER.

Freehold property, situate at Windsor forest, known as the Hill House Estate, consisting of a residence, with grounds and stabling, &c., in all 16a 2r 10p—Sold for £10,050.

Freehold residence, being No. 28, Oriental-place, Brighton; let at £100 per annum—Sold for £1,700.

By Messrs. GLASIER & SONS.

Freehold property, known as the Downside Hock Mills, Cobham, Surrey, with house, 3 cottages, stabling, and outbuildings, the whole containing about 6 acres, also about 8 acres of leasehold meadow land—Sold for £3 000.

Leasehold house, with shop, being No. 47, Maddox-street, Bond-street; let at £140 per annum; term, 40 years from 1852; ground-rent, £4 per annum—Sold for £3,400.

June 21.—By Messrs. FAREBROTHER, CLARK, & Lye.

Freehold Residence, situate in Mill-road, Bexley-heath, Kent, with stabling and grounds—Sold for £810.

Leasehold Improved Rents of £54 8s. and £15 per annum, arising out of the house, No. 42, Upper Charlotte-street, Fitzroy-square; term, 9¼ years unexpired—Sold for £325.

AT THE LONDON TAVERN.

June 21.—By Messrs. FULLER & HORSEY.

Leasehold Sugar Refinery, situate in Finch-street, Old Montague-street, Whitechapel—Sold for £1,300.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

FITTON—On June 17, at Dublin, the wife of of Richard Fitton, Esq., Solicitor, of a daughter.

MOIR—On June 15, at Camden-road, the wife of J. M. Moir, Esq., Barrister-at-Law, of a son.

O'HANLON—On June 9, at Dublin, the wife of John D. O'Hanlan, Esq., Barrister-at-Law, of a daughter.

PAIN—On June 20, at Kensington, the wife of J. Pain, Esq., Barrister-at-Law, Lincoln's-inn, of a daughter.

ROWDEN—On June 19, at Hampstead, the wife of F. Rowden, Esq., Barrister-at-Law, of a daughter.

MARRIAGES.

COX—NICOLS—On June 13, at St. Paul's, Mill Hill, J. E. B. Cox, Esq., B.A., Barrister-at-Law, son of E. W. Cox, Esq., Barrister-at-Law, of Highwood-hill, Middlesex to Catherine A., daughter of the Rev. B. Nicols, Incumbent of Mill Hill.

FLORENS—STEGGALL—On June 14, at the Sardinian Chapel, Lincoln's-inn-fields, E. Florens, Esq., Barrister-at-Law, of the Middle Temple, and Port St. Louis, Mauritius, to Agnes J., daughter of J. Steggall, Esq., M.D., of Bloomsbury-square.

HALL—JONES—On June 14, at St. Paul's, Deptford, J. T. Hall, Esq., of the Incorporated Law Society, to Elizabeth, daughter of Mr. D. Jones, of Her Majesty's Customs, Marazion, Cornwall.

HENRIQUES—LUCAS—On June 14, at the residence of the bride's father, A. G Henriques, Esq., Barrister-at-Law, Middle Temple, to Alice R., daughter of P. Lucas, Esq., Cheetham, near Manchester.

PEED—WILTON—On June 20, at Sydenham, W. Peed, Esq., Cambridge, Solicitor, son of the late J. Peed, Esq., Solicitor, of Whittlesey, to Harriett, daughter of T. Wilton, Esq., of Whittlesey.

PINHORN—KAINES—On June 15, at Gillingham, Dorset, Rev. C. A. Pinhorn, to Sarah, daughter of H. Kaines, Esq., Solicitor, of Gillingham.

DEATHS.

ACTON—Ann, widow of J. Acton, Esq., Solicitor, aged 74.

BOWER—On June 15, at Wilmslow, Cheshire, G. Bower, Esq., Solicitor, of Tokenhouse-yard, aged 67.

BUCKMASTER—On June 16, at Kensington, Joanna, relict of J. Buckmaster, Esq., Barrister-at-Law.

DELMEGE—At Dinapore, East Indies, John P. G. Delmege, Esq., M.D., son of Julius Delmege, Esq., Solicitor, Dublin.

JOHNSTONE—On June 17, at Dublin, W. Johnstone, Esq., Barrister-at-Law.

LITTLEDALE—On June 13, at Rosetta, Ruthgar, William Edmond, son of W. F. Littledale, Esq., Solicitor.

MALONE—On June 17, at Vauxhall-bridge-road, J. R. Malone, Esq., Solicitor, late of Dublin.

NEALE—On June 12, at Reading, J. Neale, Esq., Solicitor, aged 65.

SPRATT—On June 15, at Somerset, Mrs. H. Spratt, Widow of the late F. Spratt, Esq., Solicitor, of London, aged 89.

UNCLAIMED STOCK IN THE BANK OF ENGLAND.

The amount of Stock heretofore standing in the following Names will be transferred to the Parties claiming the same, unless other Claimants appear within Three Months:—

CASAMAJOR, AGNES MARGARET, Cadogan-place, Spinster. £290 4s. 2d. Reduced £3 per Cent. Annuities—Claimed by said A. M. Casamajor.

CLAYTON WILLIAM, Loitock Hall, near Preston, Banker, and WILLIAM WILSON, Preston, Banker, both deceased. One Dividend on the sum of £130 per annum Long Annuities—Claimed by George Ailan Lowndes, and Rev. Edward Harington Clayton, executors of William Clayton, who was the survivor.

STRONG, FRANCES, Heightside House, New Church, Lancashire, Widow, deceased. One Dividend on the sum of £4,238 8s. 2d. New £3 per Cent. Annuities—Claimed by George Hargreaves, and John Whitaker executors.

VINCENT, GEORGE GOABY, Castle street, Holborn, Solicitor, deceased. £427 7s. 1d. New £3 per Cent. Annuities—Claimed by Rose Vincent, Widow, surviving executor.

WRIGHT, EDWARD, Verulam-buildings, Gray's-inn, Esq., deceased. One Dividend on the sum of £150 per annum Long Annuities—Claimed by Mary Ann Monington Webbe Weston, heretofore Thomas Wright, who was the surviving executor of the said C. Wright.

LONDON GAZETTES.

Winding-up of Joint Stock Companies.

FRIDAY, June 16, 1865.

LIMITED IN CHANCERY.

Aberaman Iron Works (Limited).—Vice-Chancellor Wood has fixed June 30 at 12, at his chambers, for the appointment of an official liquidator.

British Colonial Steam Ship Company (Limited).—Petition for winding-up, presented June 1, directed to be heard before the Master of the Rolls on June 24. Lewis & Lewis, Ely-pl, Holborn, Solicitors for the Petitioner.

City and County Assurance Company (Limited). Petition for winding up, presented June 15, directed to be heard before the Master of the Rolls on June 24. Ashurst & Co, Old Jewry, Solicitors for the Petitioners.

Panonia Leather Cloth Company (Limited).—Petition for winding-up presented June 9, directed to be heard before the Master of the Rolls on June 24. Snell, George-st, Mansion House, Solicitor for the Petitioners.

Ryde Quay Company (Limited).—Vice-Chancellor Wood has fixed June 29 at 12, at his chambers, for the appointment of an official liquidator.

Rolling Stock Company of Ireland (Limited).—Vice-Chancellor Wood has, by an order dated March 28, appointed Samuel Lowell Price, of 13, Gresham-st, to be official liquidator.

UNLIMITED IN CHANCERY.

London Marine Insurance Association.—Petition for winding-up presented June 10, directed to be heard before Vice-Chancellor Wood on June 21. Mercer & Mercer, Mincing-lane, Solicitors for the Petitioner.

TUESDAY, June 20, 1865.

LIMITED IN CHANCERY.

British Ice Making Company (Limited).—Order to wind up made by the Master of the Rolls on June 10. Warry & Co, Lincoln's-inn-fields, Solicitors for the Petitioners.

London and Scottish Bank (Limited).—Creditors are required, on or before Aug 1, to send their names and addresses, and the particulars of their debts or claims to Wm Turquand 16, Tokenhouse-yard. Friday, Nov 3 at 1, is appointed for hearing and adjudicating upon the debts and claims.

Metropolitan Ice Company (Limited).—Order to wind up made by the Master of the Rolls on June 10. Redpath, Suffolk-lane, Solicitor for the Petitioner.

Patent Carriage Company (Limited).—Petition for winding up, presented June 17, directed to be heard before the Master of the Rolls on July 1. G. S. & H. Brandon, Essex-st, Strand, Solicitors for the Petitioner.

UNLIMITED IN CHANCERY.

Anglo-Californian Gold Mining Company.—Order to wind up made by Vice-Chancellor Kindersley on June 10. His Honour has fixed July 3 at 12, at his chambers, for the appointment of an official liquidator.

Friendly Societies Dissolved.

TUESDAY, June 20, 1865.

St. Clement's Sick and Funeral Friendly Society, St Clement's Sunday-school, Manch. June 15.

Creditors under Estates in Chancery.

Last Day of Proof.

FRIDAY, June 16, 1865.

Evans, Morgan, Exmouth st, Clerkenwell, Oil and Colourman. July 16. Evans *v* Evans, M.R.

Forrest, Thos Forsyth, South Shields, Durham, Esq. Forrest *v* Forrest, V.C. Stuart.

Matthams, Benj, Love's Farm, Aythorp Rooting, Essex, Farmer. July 3. Matthams *v* Thorne, V.C. Wood.

Tennent, Jas, Cranmer-ter, Cranmer-rd, North Brixton, Retired Major. July 15. Turquand *v* Tennent, M.R.

Woodward, Wm, Routh, Colton, Lancaster, Yeoman. July 6. Burrow *v* Penny, M.R.

TUESDAY, June 20, 1865.

Batard, Thos Matthias Bearda, Ashes, nr Billericay, Essex, Esq. July 15. Robertson *v* Kemble, M.R.

Best, John, Shear, Surrey, Retired Farmer. July 20. Best *v* Beeston, M.R.

Carter, Saml, Windsor, Berks. July 15. Carter *v* Beenham, V.C. Wood.

Croft, Jas, Kingston-upon-Hull, Surrey. July 18. Allen *v* Payne, M.R.

Mountague, David, Leigh, Essex, Esq. July 18. Wood *v* Howard, M.R.

Rayner, Isabella, Bridlington, York. July 18. Cooper *v* Wells, V.C. Stuart.

Stoodley, Wm, Yeovil, Somerset, Boot Maker. July 20. Cogan *v* Allen, M.R.

Wriford Chas Richardson, Bath, Somerset, Major. Wriford *v* Glubb, V.C. Stuart.

Wrigley, Jas, Broadbottom, Chester, Stone Dealer. July 21. Woollisicroft *v* Wrigley, V.C. Stuart.

Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

FRIDAY, June 16, 1865.

Barber, Ann, Hayes-park, Hayes, Spinster. Aug 1. Wintle, Newnham.

Barber, Mary, The Hawfield, Aure, Gloucester, Spinster. Aug 1. Wintle, Newnham.

Bland, Wm Henderson, Northampton-pk, Islington, Annato Manufacturer. July 31. Treherne & Wolferstan, Aldermanbury.

Cecil, Fras, Carlton-rd, Maida-vale. July 15. Graham & Lyde, Mitre-ct-chambers.

Giles, John, Cox-green, Bray, Berks, Carpenter. July 13. Sawbridge, Cheapside.

Hanson, Richd, Whaplode, Lincoln, Farmer. Aug 1. Cooke, Boston.

Loxton, Chas Adshead, Wednesbury, Stafford, Wine and Spirit Merchant. Aug 1. Thursfield, Wednesbury.

Mosley, Anna Maria, Greenwich, Kent, Widow. Yewdall, Leeds.

Oldbury, Amelia Ann, Hurley, Berks, Widow. July 13. Sawbridge, Cheapside.

Pratt, David, Berwick-upon-Tweed, Esq. July 18. Weatherhead.

Sheppard, John, Birm, Licensed Victualler. July 14. Cutler, Birm.

Simpson, Edwd, Norfolk-st, Mile End, Middx, Gent. Aug 12. Donne, Spitalfields.

Smith, Robt, Primrose-hill, Winston, Durham, Farmer. July 3. Dodds & Trotter, Stockton.

Topham, Eliz, Nottingham. July 16. Heath, Nottingham.

Vane, Hon Frances Anne, Marchioness of Londonderry, Wynyard-pk, Durham, and Holdernesse House, Park-lane, Middx. July 15. Clayton, Red Lion-sq.

Wallen, John, Bedford-rd, Stockwell, Surrey, Gent. July 17. Horsley, Bank-chambers.

Woodcock, Louisa, Francis-st, Newington, Widow. July 10. Selsby, Fenchurch-st.

TUESDAY, June 20, 1865.

Addison, Frances, Manor View, Brixton, Spinster. Aug 1. Bell & Co, Bow Church-yard.

Beare, Edmund, Paston, Norfolk, Farmer. July 20. Scott, North Walsham.

Bradley, Jas Watson, Pall Mall, China Dealer. Aug 1. Chester, Hammersmith.

Candler, Wm, Sunny Lodge, Leigh, Worcester, Esq. July 21. Skey, Gt Malvern.

Dancer, Frances, Burnham, Bucks. July 24. Charsley, Beaconsfield.

Dacre, Geo, Stratford Green, West Ham, Essex, Esq. Aug 20. Fairfoot & Co, Clement's-inn.
Evan, John Jas Vardre, Glamorgan, Dissenting Minister. Aug 15. Randall. Neath.
Green, Wm Thomas, Hatton-garden, Jeweller. Sept 16. Temple, Bloomsbury-sq.
Hobson, Hy, Sheffield, Soda Water Manufacturer. July 11. Hoole, Sheffield.
King, John, Norbiton Lodge, Kingston-on-Thames. Aug 31. Wilkinson & Co, Kingston-on-Thames.
Lyon, Jas, Bedford-ter, Clapham-rise, Esq. July 24. Norris, Chancery-lane.
Nash, Sarah, North-end House, Watford, Herts, Widow. Aug 15. Hepburn, Copthall-ct.
Falling, Chas, Basinghall-st, Cloth Factor. July 20. Drake & Son, Walbrook.
Page, John, sen, The Ironbridge, Salop, Butcher. July 11. Hardwick, Bridgnorth.
Phillips, John, Warfield House, Hampton, Gent. Aug 31. Wilkinson & Matthews, Bedford-st, Covent garden.
Phipps, Saml, Stoke Bruerne, Northampton, Farmer. Aug 25. Miles & Co, Leicester.
Ricketts, Alfred, Bath, Esq. Aug 31. Livett & Co, Bristol.
Rippingham, Matthew John, Wellington-rd, Bromley, Gent. Aug 1. Bell, Bow Church-yd.
Saxon, Eliz, St Bees, Cumberland, Widow. Aug 14. Beamont & Davies, Warrington.
Snow, Peter, Little Waltham, Essex, Farmer. July 20. Wilson, Chelmsford.
Solloway, Wm Danl, Leamington, Warwick, Dealer. Aug 1. Druce, Oxford.
Swaisland, Chas, Crayford, Kent, Printer. Sept 1. Bell, Bow Church yard.
Williams Mary Eliz, Ordnance-rd, St John's-wood, Spinster. Aug 1. Coverdale, Bedford-row.
Wintle, Ann, Westbury upon-Severn, Gloucester, Widow. Aug 1. Wintle, Newnham.

Deeds registered pursuant to Bankruptcy Act, 1861.

FRIDAY, June 16, 1865.

Allen, Robt Richd, Prisoner for Debt, Northampton. May 23. Release. Reg June 14.
Baird, Robt, Manch, Builder. May 22. Asst. Reg June 13.
Batt, Hy, Upper James-st, Camden-town, Builder. May 18. Conv. Reg June 15.
Black, Geo, Sheffield, Greengrocer. June 2. Asst. Reg June 15.
Brearley, Robt, Hay, Brecon, Draper. May 17. Asst. Reg June 14.
Brown, John Jas, Manch, Tobacconist. May 22. Conv. Reg June 15.
Burrell, Wm, Salisbury, Wilts, Shoemaker. May 16. Asst. Reg June 13.
Bush, Joseph, Luton, Bedfordshire, Boot and Shoe Manufacturer. May 17. Asst Reg June 14.
Cole, Mark Lancey, Isle of Wight, Outfitter. May 17. Asst. Reg June 14.
Cooper, Wm, New Alresford, Southampton, Bricklayer. May 20. Conv. Reg June 14.
Curtis, Hy, Salisbury, Builder. May 16. Asst. Reg June 13.
Dale, Wm, Ulceby, Lincoln, Blacksmith. May 16. Comp. Reg June 13.
Dehorter, Alphonse, Myddleton-sq, Pentonville, Comm Agent. June 3. Comp Reg June 14.
Edwards, John, Myfod, Montgomery, Draper. May 18. Asst. Reg June 15.
Elkin, Jacob Levi, Gt St Helen's, Manager of a Public Company. June 6. Conv. Reg June 16.
Foster, Saml, Cayes-ter, Hammersmith, & Hy King, Gilles-st, Kentish-town, Musical Instrument Sellers. April 6. Comp Reg June 15.
Gilet, Alphonse Lucas-st, Commercial-rd East, Beerseller. May 26. Comp Reg June 13.
Gray, Edwd Evans, Shaldon, Devon, Captain R.N. June 6. Comp. Reg June 15.
Hanmer, Arthur, Manch, Timber Dealer. May 18. Conv. Reg June 13.
Hartshorne, Benj, Triangle, Hackney, Draper. June 1. Comp. Reg June 15.
Honour, Ebenezer, Bristol, Wholesale Tobacconist. June 2. Asst. Reg June 14.
Hunn, Robt, Holme-next-the-Sea, Norfolk, Farmer. May 22. Asst. Reg June 15.
Johnson, Geo, Kingston-upon-Hull, Builder. June 6. Asst. Reg June 15.
Jones, Robt, Manch, Machinist. May 25. Asst. Reg June 14.
Kemot Chas Middleton, Fleet-st, Surgeon. June 7. Comp. Reg June 14.
Kent Thos Freshwater, Dartford, Kent, Grocer. May 5. Comp. Reg June 14.
Lancaster, John, Bolton-le-Moors, Lancaster, Joiner. June 3. Comp. Reg June 16.
Machell, Smith, Earlsheaton, York, Blanket Manufacturer. May 31. Comp. Reg June 16.
Mellor, Joseph, Almondbury, York, Woollen Cloth Manufacturer. May 20 Comp. Reg June 15.
Milner, Anthony, York, Blanket Manufacturer. May 20. Asst. Reg June 16.
Molyneaux, Hy Metcalfe, Vauxhall-bridge-rd, Surveyor. June 1. Comp. Reg June 14.
Platt, Wm, Beaufort-buildings, Strand, Masonic Jeweller. May 17. Comp. Reg June 13.
Ridgway, Wm, Old Bond-st, Tailor. May 18. Asst. Reg June 13.
Rosenthall, Hy, Coburn-ter, Rye-lane, Peckham, Oil and Italian Merchant. May 16. Comp Reg June 16.
Sanders, John, Coventry, Commercial Traveller. May 16. Asst. Reg June 13.
Shacklady, John, Cornwall-rd, Brixton, Pork Butcher. May 19. Asst. Reg June 15.
Swaine, Jonathan, Bradford, York, Comm Agent. May 29. Asst. Reg June 13.
Tickell, John, Strangeways, Manch, Builder. April 18. Comp. Reg June 13.
Troake, Wm, Sidmouth, Devon, General-shop Keeper. June 3. Asst. Reg June 15.
Watson, Geo Steward, Westbromwich, Stafford, Attorney. June 1. Comp. Reg June 14.
Wildblood, Edmund, Burslem, Stafford, Colour Manufacturer. May 29. Comp. Reg June 14.
Wilkinson, Saml, Birm, Jeweller. May 30. Comp. Reg June 12.
Wood, Jabez Holmes, Cornhill, Bill Broker. May 18. Asst. Reg June 15.
Wood, Thos Soloman, Greenwich, Carpenter. June 12. Comp. Reg June 16.

TUESDAY, June 20, 1865.

Allen, Wm, Lpool, Watch Maker. May 24. Conv. Reg June 17.
Bastable, Elisha, Southsea, Hants, Baker. June 15. Conv. Reg June 19.
Bingham, Geo Castle, Nottingham, Boot Manufacturer. June 9. Asst. Reg June 16.
Binns, Thos, & Geo Wyndham Binns, Deighton, nr Huddersfield, York, Woollen Manufacturers. May 22. Conv. Reg June 19.
Bradley, Edwd, Sheffield, Grocer. June 15. Conv. Reg June 17.
Bunce, Chas Dredge, Milton-ter, Wandsworth-rd, Commercial Traveller. June 16. Conv. Reg June 16.
Castle, John Scott, High-st, Lambeth, Printer. May 24. Conv. Reg June 20.
Coward, John Senior, Knottingley, York, Chemist. May 26. Comp. Reg June 16.
Cuppleditch, Geo, Stockport, Chester, Tailor. May 22. Comp. Reg June 17.
Freeman, Edwd, Manch, Linen Merchant. May 22. Conv. Reg June 19.
Forster, John Arthur Fox, Margaret-villas, Putney, Clerk in the Commander-in-Chief's Office. May 20. Arrt Reg June 17.
Gnoroll, John, Hanley, Stafford, Draper. May 25. Conv. Reg June 20.
Gowland, Geo, Lpool, Chronometer Manufacturer. May 24. Comp. Reg June 20.
Hales, Edwd, Nicholas-lane, Gas Fitter. June 5. Arr. Reg June 17.
Holden, Thos, White Horse, West Ham, Essex. June 14. Comp. Reg June 19.
Harding, John, Bradley-green, Biddulph, Stafford, Builder. May 22. Comp. Reg June 19.
Hayes, Chas Fredk, Richmond-ter, Barnsbury, Engineer. June 14. Comp. Reg June 17.
Haywood, Jas, Birm, Corn Dealer. May 26. Conv. Reg June 19.
Hinchliff, Walker, Saddleworth, York, Joiner. June 15. Comp. Reg June 17.
Horton, Thos, Louth, Lincoln, Cattle Dealer. May 24. Conv. Reg June 19.
Hope, Chas, & Joseph Hope, Wincham, Chester, Corn Factors. May 19. Asst. Reg June 16.
Hopkins, Wm, Ash, nr Sandwich, Kent, Blacksmith. May 22. Conv Reg June 19.
Howe, John, Bristol, Boot and Shoe Manufacturer. May 23. Comp. Reg June 16.
Howell, Chas Peter Branstrom, Bristol, Timber Merchant. May 22. Inspectorship. Reg June 19.
Isacke, Jas John, Gloucester, Brushmaker. June 1. Comp. Reg June 20.
Jones, Robt Parker, East Sheen, Surrey, Schoolmaster. June 13. Conv. Reg June 17.
Marriott, Hy Thos, Doncaster, York, Grocer. May 25. Comp. Reg June 17.
McLean, Arthur Delarue, Sunderland, Durham, Grocer. June 10. Conv. Reg June 19.
McConnell, Wm. Manch, Wine and Spirit Merchant. May 25. Inspection. Reg June 19.
Newstead, Rosabelle, Beverley, York, Grocer. June 12. Comp. Reg June 17.
Parker, Michael, Kingston-upon-Hull, Ironmonger. May 19. Asst. Reg June 16.
Perrin, Saml Hy, Erith, Kent, Gent. May 23. Conv. Reg June 17.
Pope, Wm Oldland, Bristol, Auctioneer. June 10. Conv. Reg June 17.
Ramsay, Chas, Jermyn-st, St James's, Tailor. May 19. Inspectorship. Reg June 16.
Roberts, John Swain, Rhyl, Flint, Chemist. May 23. Comp. Reg June 20.
Russell, Andrew, jun, Bradford, York, Stuff Finisher. May 23. Conv. Reg June 17.
Saxton, Robt, Leeds, Plumber. June 14. Conv. Reg June 20.
Scott, Thos Jas, Commercial-pl, Brixton, Draper. June 15. Comp. Reg June 17.
Smith, Geo, Haverfordwest, Boot Seller. June 7. Asst. Reg June 16.
Thompson, Andrew, Walsall, Stafford, Draper. May 23. Comp. Reg June 20.
Thompson, Wm Murthwaite, Auckland-st, Vauxhall-gardens, Lambeth, Surgeon. May 24. Comp. Reg June 20.
Tredinnick, Richd, Lombard-st, Mining Share Broker. June 10. Comp. Reg June 19.
Waddington, Saml, Heywood, Lancaster, Chemist. May 23. Comp. Reg June 19.
Walling, Richd Isaac, Littlehampton, Sussex, Coal and Corn Merchant. June 2. Comp. Reg June 19.
Walker, Jas, Elland, Halifax, Machine Maker. June 8. Comp. Reg June 16.
Ward, Saml, Wakefield, York, Fishmonger. May 31. Asst. Reg June 19.
Webb, Frank Wm, Dartford, Kent, Baker. June 1. Comp. Reg June 15.
Woods, Edwd, Nottingham, Music Hall Proprietor. June 19. Conv. Reg June 19.

Bankrupts

FRIDAY, June 16 1865.

To Surrender in London.

Armit, Wm, Prisoner for Debt, London. Pet June 14 (for pau). June 30 at 2. Atkinson, High Holborn.
Armston, Thos, Prisoner for Debt, London. Pet June 14 (for pau). June 28 at 11. Hill, Basinghall-st.

Ashfield, Wm, Red Lion-yd, Clerkenwell, Bricklayer. Pet June 12. June 30 at 1 30. Hill, Basinghall-st.
Brett, Wm Jas, Camberwell, Licensed Victualler. Pet June 14. June 28 at 11. Cotman, Camberwell.
Boyle, Robt, Woolwich, Captain Royal Artillery. Pet June 9. June 27 at 1. Dubois, Gresham-st.
Brown, Wm Young, Ventnor, Isle of Wight, Draper. Pet June 10. June 28 at 1. White, Strand.
Browne, Geo Richd, Prisoner for Debt, London. Pet June 12. June 26 at 1. Lawrance & Co, Old Jewry-chambers.
Crook, Jas, St George's-ter, Kilburn, Carpenter. Pet June 9. June 27 at 2. Godfrey, South-sq.
Eastwick, Chas, Cheshunt, Hertfordshire, Beerseller. Pet June 12. June 26 at 1. Marshall, Hatton-garden.
Echlin, Chas, New-cross, Commercial Traveller. Pet June 14. July 5 at 11. Jennings & Co, Lime-st.
Ferguson, Chas Augustus, Blackheath, Mast and Blockmaker. Pet June 13. June 30 at 2. King, Cheapside.
Fisher, Chas, Arthur-grove, Kentish-town, Assistant to an Upholsterer. Pet June 12. June 26 at 1. Froudfoot, John-st.
Garrett, Wm Robt, Wandsworth-rd, Surrey, Baker. Pet June 12. June 27 at 2. Wetherfield. Moorgate-st.
Grainge, Wm Thos, Park-st, Camberwell, Clerk to an Auctioneer. Pet June 10. June 27 at 2. Hill, Basinghall-st.
Hallett, Joseph, Brighton, Wine and Spirit Merchant. Pet June 14. July 5 at 11 Nethersole & Co, New-inn.
Hollis, Fras Joseph, North-walls, Winchester, Attorney. Pet June 14. July 5 at 11. Lewis & Lewis, Ely-pl.
Johnson, Robt, Prisoner for Debt, London. Pet June 13 (for pau). June 28 at 11. Hill, Basinghall-st.
Jones, Jas, Chapel-st, Tottenham-ct-rd, Baker. Pet June 12. June 28 at 3. Marshall, Lincoln's-inn-fields.
Launceman, Wm Geo, Coleharbour-st, Hackney-rd, Shoe Maker. Pet June 12. June 28 at 2. Mason, Symond's-inn.
Lumley, Hy Wm, Prisoner for Debt, London. Pet June 13 (for pau). June 28 at 3 Hill, Basinghall-st.
Lupton, Jas Irvine, Richmond, Veterinary Surgeon. Pet June 9. June 28 at 3. Young, Serjeant's-inn.
Moore, Wm, Upper King-st, Bloomsbury-sq, Boot Maker. Pet June 12. June 26 at 1. Earle, Bedford-row, Holborn.
North, Edwd, Merton Surrey, Gardener. Pet June 12. June 28 at 3. Marshall, Lincoln's-inn-fields.
Payne, Thos, Norfolk-ter, Old Kent-rd, out of business. Pet June 10. June 28 at 2. Hill, Basinghall-st.
Rees, David, Cheapside, Photographer. Pet June 14. June 28 at 11. Webster, Tokenhouse-yard.
Sadler, Thos, Prisoner for Debt, London. Pet June 8 (for pau). June 30 at 1.30. Bramwell, Basinghall-st.
Slaney, Geo Cattarns, Dorset-ter, Gt Dover-st, no occupation. Pet June 13. June 28 at 3. Treherne & Co, Aldermanbury.
Tyrie, Jas Edwd, Norwood, out of business. Pet June 9. June 28 at 1. Dubois, Gresham-st.
Warren, Chas, Prisoner for Debt, London. Pet June 12. July 5 at 12. Hedger, Furnival's-inn.
Webbe, Wm, Dulwich, Architect's Assistant. Pet June 12. June 28 at 2. Pope, Old Broad-st.
Wells, Saml Richd, Portsea, Hants, Plumber. Pet June 13. June 28 at 11. Sole & Co, Aldermanbury.

To Surrender in the Country.

Aplin, Robt, Ashburton, Devon, Baker. Pet June 12. Newton Abbott, June 26 at 11. Baker, Newton Bushel.
Batten, Chas, Lpool, Licensed Victualler. Pet June 13. Lpool, July 4 at 11. Talbot, Lpool.
Bromfield, Thos, Worcester, Licensed Victualler. Pet June 13. Birm, June 28 at 12.
Clark, John, Gateshead, Durham, Joiner. Pet June 12. Gateshead, July 3 at 12. Arnott, Newcastle upon-Tyne.
Cooper, Geo, Dresden, Stafford, Grocer. Pet June 13. Stoke-upon-Trent, July 1 at 11. Tennant, Hanley.
Courti, Paul, Exeter, Watchmaker. Pet June 15. Exeter, June 28 at 12. Friend, Exeter.
Cowen, Amos, Birm, out of business. Pet June 9. Birm, July 10 at 10. East, Birm.
Cowlbeck, Fredk Wm, Prisoner for Debt, Durham. Pet June 5. Leeds, June 28 at 12. Blackburn & Son, Leeds.
Dibble, John, Birm, Tailor. Pet June 14. Birm, June 28 at 12. Clarke, Birm.
Dickins, Geo Caldwell, Cornhill, Northumberland, out of business. Pet June 13. Newcastle-upon-Tyne, July 7 at 1. Brignal, Durham.
Evans, Ann, & Chas Evans, Wolverhampton, Iron Braziers. Pet June 8. Birm, June 29 at 12. Green, Birm.
Fellows, Thos, Darlaston, Stafford, Chartermaster. Pet June 10. Walsall, June 28 at 12. Ebsworth, Wednesbury.
Ford Richd, Blackburn, Lancaster, Grocer. Pet Aug 17. Blackburn, July 3 at 1.
Greaves, Hy Jas, Troy-town, Rochester, Caulker. Pet June 14. Rochester, June 27 at 2. Morgan, Maidstone.
Handley, Thos, Salford, out of business. Pet June 14. Manch, June 29 at 9.30. Fletcher, Manch.
Harrison, Thos, Birm, out of business. Pet June 9 (for pau). Birm, July 10 at 10
Hefford, Geo, Leicester, Grocer. Pet June 12. Lutterworth, June 29 at 11.30. Owston, Leicester.
Hemmings, Geo, Stevenage, Hertford, Beerseller. Pet June 14. Hitchin, July 1 at 11. Simpson, St Albans.
Hughes, Wm, Lpool, Grocer. Pet June 10. Lpool, June 27 at 3. Jones, Lpool.
Locke, Hy, Isle of Wight, Licensed Victualler. Pet June 9. Newport, June 29 at 11. Hooper, Newport.
Marmont, John Wm, Stanley End, Gloucester, Timber Dealer. Pet June 12. Bristol, June 28 at 11 Bevan, Bristol.
Medlicott Thos, Hand-worth, Stafford, Printer. Pet June 15. Birm, July 3 at 12. Duke, Birm.
Morton, Wm, Ripon, Wine and Spirit Merchant. Pet June 14. Leeds, July 3 at 11. North & Sons, Leeds.
Pattison, Wm, Holbeck, Leeds, Tailor. Pet June 13. Leeds, June 27 at 12. Emsley, Leeds.
Peacock, Wm Fras, Prisoner for Debt, Manch. Adj May 16. Manch, July 4 at 11.
Phillips, Evan, Llanfigan, Brecknock, Farm Labourer. Pet June 10. Brecknock, June 24 at 12. Plews, Merthyr Tydfil.
Phillips, John, Ipswich, Journeyman Carpenter. Pet June 6. Ipswich, June 26 at 11. Moore, Ipswich.
Richmond, Saml, Prisoner for Debt, Nottingham. Adj June 13. Birm, June 27 at 11.
Roberts, Margaret, Conway, Carnarvon, Widow, Licensed Victualler. Pet June 10. Conway, June 26 at 12. Jones, Conway.
Robertson, Duncan, Everton, Lancaster, Accountant. Pet June 18. Lpool, June 28 at 11. Haigh & Deane, Lpool.
Robinson, Jas, Prisoner for Debt, Gloucester. Adj June 10. Bristol, June 28 at 11.
Rowbotham, Wm, Birm, Painter. Pet June 9 (for pau). Warwick, July 10 at 10.
Shaw, Jas, Prenton, Woodchurch, Chester, no occupation. Pet June 14. Birkenhead, June 30 at 11. Moore.
Smith, Jas, Prisoner for Debt, Lincoln. Adj June 10. Birm, June 27 at 11.
Smith, John, Penrith, Cumberland, Innkeeper. Pet June 14. Penrith, June 28 at 11. Scott, Penrith.
Smith, Wm, Parr, nr St Helen's, Lancaster, Licensed Victualler. Pet June 13. Lpool, June 28 at 12. Beasley, St Helen's.
Standring, Saml, Oldham, Lancaster, Cotton Waste Dealer. Pet June 10. Oldham, June 29 at 12. Ascroft, Oldham.
Stone, John Thos, Manch, Watch Maker. Pet June 12. Manch, July 5 at 12. Boote & Rylance, Manch.
Ward, Joseph, Nottingham, Lacemaker. Pet June 12. Nottingham, July 26 at 11. Heathcote, Nottingham
Wattson, Fredk, Gravesend, Baker. Pet June 13. Gravesend, June 30 at 11. Outred, Gravesend.
Whiteley, Thos, Halifax, Journeyman Ironmonger. Pet June 12. Halifax, June 30 at 10. Storey, Halifax.
Wills, Thos, Maidstone, Kent, Boot Maker. Pet June 9. Maidstone, June 21 at 12. Goodwin, Maidstone.
Wilson, Thos, Lensgill, Westmoreland, Joiner. Pet June 13. Kendal, July 4 at 11. Thompson, Kendal.
Wilt, Isaac, Stockton, Durham, Jeweller. Pet June 14. Stockton-on-Tees, June 28 at 3. Hunton, Stockton.
Wright, Wm, Nottingham, Comm Agent. Pet June 12. Nottingham, July 26 at 11. Heathcote, Nottingham.
Yates, Thos, Birm, Seedsman. Pet June 9 (for pau). Birm, July 10 at 10.

TUESDAY, June 20, 1865.

To Surrender in London.

Ballard, John, Lambeth-walk, Boot Maker. Pet June 17. July 5 at 1. Pope, Old Broad-st.
Bond, John, Grafton-st, Fitzroy-sq, Surgeon. Pet June 17. June 30 at 11. Chidley, Old Jewry.
Bryan, John, Portland-place, Rotherhithe, Cocoa Nut Matting Manufacturer. Pet June 12. July 3 at 11. Hand, Coleman-st.
Chambers, Chas & Robt Chambers, High-st, Hampstead, Contractors. Pet June 15. July 5 at 1. Daniel, Quality-court.
Critchly, Richd, St George's st East, Boarding-house Keeper. Pet June 13. June 30 at 2. Wood & Ring, Basinghall st.
English, Edward, High st, Bow, Butcher. Pet June 15. July 5 at 12. Holmes, Fenchurch-st.
Forcade, Hy Wm, sen, Laurie-ter, Westminster Bridge-rd, Clerk to a Solicitor. Pet June 14. June 30 at 2 Buchanan, Basinghall-st.
Gipson, Geo, Low Leyton, Essex, Plumber. Pet June 16. June 30 at 11. Greenhill, Gracechurch st
Godden, Wm, Cross-st, Plumstead, Grocer. Pet June 16. July 3 at 1. Marshall, Hatton-garden.
Jarlett, Richd, Lee, Kent, Corn Dealer. Pet June 13. June 30 at 2. George & Armstrong, Size-lane.
Johnson, Donald, & Edwd Silcock, Regent-dock, Millwall, Shipbuilders. Pet June 16 July 3 at 12. Stacpoole, Pinner's-hall.
Lacey Jas, Prisoner for Debt, London. Pet June 13 (for pau) July 3 at 12. Hill, Basinghall-st.
Miller, Robt, Prisoner for Debt, London. Pet June 15. July 3 at 12. Drake, Basinghall-st.
Nokes, Walter, Prisoner for Debt, London. Pet June 13. July 3 at 12. Hill, Basinghall-st.
Pelham, Sophia, & Harriet Pelham, Osborne-ter, Clapham-rd, Spinsters, Lessees of the New Royalty Theatre. Pet June 17. July 3 at 1. Watson, Southampton-buildings.
Rutherford, John Waddell, Fore-st, Limehouse, Shipwright. Pet June 15. July 3 at 11. Young, Delamere-ter, Paddington.
Rust, Caleb, Mare-st, Hackney, Attorney's Clerk. Pet June 22. June 30 at 1 30. Chidley Old Jewry
Schallehn, Hy, Carlisle-ter, Kensington, Professor of Singing. Pet June 14 July 5 at 11. Condy, Strand.
Seyton, Chas, Upper Ebury st, Commedian. Pet June 15. June 30 at 11. Towne, Gt Russell-st, Bloomsbury.
Snell, Robt, junr, High-st, Kingsland, Photographer. Pet June 17. June 30 at 11. Lewis & Lewis, Ely-place.
Stevens, Geo Hy, Dock-st, Upper East Smithfield, Soap Manufacturer. Pet June 15. July 5 at 12 Stocken, Leadenhall-st.
Thomas, John, Prisoner for Debt, London. Pet June 15 (for pau). July 3 at 12. Drake, Basinghall-st.
Wedgwood, Wm Richd, Greyshott, Headley, Southampton, Farmer. Pet June 16. June 30 at 11. Hughes & Co, Bucklersbury.

To Surrender in the Country.

Andrews, Benj, Ashington, Somerset, Dairyman. Adj June 12. Taunton, June 30 at 12. Watts, Yeovil.
Arden, Thos, Middlewitch, Chester, out of business. Pet May 27. Northwich, July 4 at 12 Sheppard, Crewe.
Backhouse, Frdk, sen, Goole, York, Lumber. Pet June 12. Goole, June 30 at 12.30 Harle, Leeds.
Bailey, Wm, Newcastle-under-Lyme, Stafford, Joiner. Pet June 13. Newcastle-under-Lyme, July 1 at 10. Moxon, Hanley.
Baker, Hy, Swansea Glamorgan, Bookseller. Pet June 15. Swansea, July 5 at 2 Morris, Swansea.
Barnell, Maria, Worcester, Widow, out of business. Pet June 5 (for pau). Worcester, July 3 at 11. Wilson, Worcester.

Bates, Josiah, Prisoner for Debt, Lancaster. Pet June 12 (for pau). Lancaster, June 30 at 12. Gardner. Manch.
Bindon, Geo, Prisoner for Debt, Cardiff. Adj June 14. Cardiff, June 30 at 11.
Bostock, John, Malpas, Chester, Innkeeper. Pet June 11. Whitchurch, June 29 at 2. Edleston, Nantwich.
Brogden, Thos, Old Accrington, Lancaster, Block Printer. Pet June 13. Haslingden, July 18 at 11. Barlow, Accrington.
Bulbeck, Wm, Westbourne Sussex, Butcher. Pet June 14. Chichester, July 14 at 10.30. Holtham, Brighton.
Cook, David, Prisoner for Debt, Lancaster. Adj June 15. Lpool, July 3 at 3.
Corey, Wm, St Austell, Cornwall, Provision Dealer. Pet June 15. St Austell, July 1 at 11. Wreford, Fowey
Darcy, Richd, Manch, Leather Dealer. Pet June 15. Manch, July 3 at 11. Rodgers, Manch.
Dixon, John, Birkenhead, Journeyman Joiner. Pet June 15. Lpool, July 4 at 11. Best, Lpool.
Gladish, Chas, South Retford, Nottingham, Miller. Adj June 13. Nottingham, July 7 at 12.
Gibbs, John Thos, Wednesbury, Stafford, Labourer. Pet June 14. Wallsall, July 3 at 12. Bayley, Wednesbury.
Giffen, Jas, Tranmere, Chester, Bookkeeper. Pet June 16. Birkenhead, July 3 at 11. Moore, Birkenhead.
Gosling, Wm, Three Bushes, Sussex, Grocer. Pet June 15. East Grinstead, July 20 at 12. Mills, Brighton.
Gray, Alfred, Gt Wilbraham, Cambridge, Pollard Merchant Pet June 17. Cambridge July 5 at 12.30. Whitehead & French, Cambridge.
Hague, Saml, Oldham, Lancaster, Book-keeper. Pet June 15. Oldham, July 6 at 12. Ascroft, Oldham.
Hancox, John, New Alresford, Hants, Millwright. Pet June 15. Winchester, June 30 at 11. Hayward, Winchester.
Harrison, Gustave, Lpool, General Outfitter. Pet June 10. Lpool, July 5 at 11. Evans & Co, Lpool.
Harrison, Wm, Warley, Halifax, York, Leather Dealer. Pet June 17. Halifax, June 30 at 10. Storey, Halifax.
Hardwick, Hy, Prisoner for Debt, York. Adj May 20. Wakefield, July 18 at 10. Gill, Wakefield.
Heaton, John, Oldham, Lancaster, Grocer. Pet June 17. Manch, July 3 at 12. Boote & Rylance, Manch.
Hope, John, Prisoner for Debt, York. Adj May 20. Wakefield, July 18 at 10. Gill, Wakefield.
Jenkins, Benj, Llawhaden, Pembroke, Dealer in Cattle. Pet June 17. Narberth, July 3 at 11. Parry, Pembroke Dock.
Johnson, Thos Luckman, Benj Hawkes, Geo Barlow, and Geo Wallington, Birm Penny Bank. Pet May 18. Birm. July 7 at 12. Duke, Birm.
Jones, Chas Richd, Gt Torrington, Devon, Physician. Pet June 16. Exeter, June 30 at 12 Clarke, Exeter.
Kemp, Thos, jun, Prisoner for Debt, Lpool. Pet June 12. Lpool, July 5 at 11. Evans & Co, Lpool.
Knight, Geo, Blakeney, nr Newnham, Gloucester, Seller of Potatoes. Adj June 10. Gloucester June 30 at 4. Burrup, Newnham.
Lawrence, Edwd Wheeler, Prisoner for Debt, Lancaster. Adj June 14. Lpool, June 30 at 3
Liddle, Hy, Manch, Comm Agent. Pet June 15. Manch, July 10 at 11. Leigh, Manch.
Mainwaring, Richd, Birkenhead, Chester, Carter. Pet June 16. Birkenhead, July 3 at 11. Brown, Oxton.
Marshall, Jas, Stockport, Chester, Cotton Spinner. Pet June 19. Manch, June 30 at 12. Atkinson, and Cooper & Son, Manch.
Matthews, Thos, Stoke-upon-Trent, Carter. Pet June 15. Stoke-upon-Trent, July 1 at 11. Tennant, Hanley.
Mudd, Robt, Milton-next-Gravesend, Kent, Carpenter. Pet June 15. Gravesend July 1 at 11. Sharland, Gravesend
Nelson, Stephen, West Hartlepool, Durham, Earthenware Dealer. Pet June 15. Stockton-on-Tees, July 5 at 10.30. Dobson, Middlesborough.
Pearson, Jane, Litherland, nr Lpool, School Proprietress. Pet June 12 (for pau). Lancaster, June 30 at 12. Gardner, Manch.
Percival, Geo, Latchford, Chester, Butcher. Pet June 14. Warrington, July 13 at 11. Shepherd & Moore, Warrington
Pierce, Ann, Prisoner for Debt, Lancaster. Adj June 14. Lpool, July 5 at 3.
Procter, John Prisoner for Debt, Lancaster. Pet June 10 (for pau). June 30 at 12. Gardner, Manch.
Pye, Jas, Prisoner for Debt, Walton. Adj June 16. Lpool, July 4 at 11.
Rees, Benj David, Prisoner for Debt, Cardiff. Adj June 14. Cardiff, June 30 at 11. Acraman, Bristol.
Redfern, Wm, Loughborough, Leicester, Druggist. Pet June 17. Loughborough, July 17 at 11. Goode, Loughborough.
Rimington, Chas, Oakham, Rutland, Saddler. Pet June 14. Oakham, July 3 at 3. Law, Stamford.
Roberts, John, Dewsbury, York, out of business. Pet June 16. Dewsbury, July 7 at 11. Schofield & Olroyd, Dewsbury.
Rogers, Jas, Bridgwater, Somerset, out of business. Pet June 17. Bridgwater, July 5 at 10. Cook, jun, Bridgwater.
Rosbothom, Thos, Lpool, Sack Dealer. Pet June 16. Lpool, July 4 at 3. Henry, Lpool.
Rowley, John, Longport, Burslem, Stafford, Licensed Victualler. Pet June 16. Birm, June 30 at 12. James & Griffin, Birm.
Ryder, Richd, Southampton, House Painter. Pet June 15. Southampton, July 5 at 12 Mackey, Southampton.
Score, Hy, Bridgwater, Somerset, Beerhouse Keeper. Pet June 17. Bridgwater, July 5 at 10. Cook, jun, Bridgwater.
Shenton, Wm, Belper, Derby, Tobacconist. Pet June 16. Belper, July 4 at 12 Walker, Belper.
Slack, Hy, Sidbury, Worcester, Stationer. Pet June 19. Birm, July 7 at 12. Wilson, Worcester.
Stockwell, Thos, Leeds, out of business. Adj May 20. Leeds, July 12 at 12. Shackleton & Whitely, Leeds.
Stratton, David, Luton, Bedford. Pet June 15. Luton, July 1 at 11.
Thomas, Owen, Birkenhead, Chester, Builder. Adj June 15. Chester, July 3 at 11.
Turner, Wm, Hartland, Devon, Farmer. Pet June 14. Exeter, June 30 at 12. Clarke, Exeter.
White, Wm, Aldershot, Agent. Pet June 13. Farnham, July 3 at 12. Eve, Aldershot.